THE
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF THE WORK ENTITLED

"THE PARLIAMENTARY HISTORY OF ENGLAND

FROM THE EARLIEST PERIOD TO THE YEAR 1803."

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T. C. HANSARD.

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VOL. VI.

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FROM

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TO

THE TWENTY-SECOND DAY OF APRIL, 1822.

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1822.

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PARLIAMENTARY DEBATES.



THE

Parliamentary Debates

During the Third Session of the Seventh Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Fifth Day of February 1822, in the Third Year of the Reign of His Majesty King GEORGE the Fourth.

HOUSE OF LORDS.

Tuesday, February 5, 1822.

THE KING'S SPEECH ON OPENING THE SESSION.] This day his majesty came in state to the House of Peers, and being seated on the throne, the gentleman usher of the black rod was directed to summon the Commons to attend. The Commons, headed by their Speaker, having presented themselves at the bar, his majesty delivered the following Speech to both Houses:

"My Lords and Gentlemen,

"I have the satisfaction of informing you, that I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country.

"It is impossible for me not to feel deeply interested in any event that may have a tendency to disturb the peace of Europe. My endeavours have, therefore, been directed, in conjunction with my Allies, to the settlement of the differences which have unfortunately arisen between the Court of St. Petersburgh and the Ottoman Porte; and I have reason to entertain hopes that these differences will be satisfactorily adjusted.

"In my late visit to Ireland, I derived the most sincere gratification from the loyalty and attachment manifested by all classes of my subjects.

"With this impression, it must be matter of the deepest concern to me, that a spirit of outrage which has led to daring and systematic violations of the law, has arisen, and still prevails in some parts of that country.

"I am determined to use all the means in my power for the protection of the persons and property of my loyal and peaceable subjects. And it will be for your immediate consideration, whether the existing laws are sufficient for this purpose.

"Notwithstanding this serious interruption of public tranquillity, I have the satisfaction of believing that my presence in Ireland has been productive of very beneficial effects; and all descriptions of my people may confidently rely upon the just and equal administration of the laws, and upon my paternal solicitude for their welfare.

"Gentlemen of the House of Commons,

"It is very gratifying to me to be able to inform you, that during the last year the revenue has exceeded that of the year preceding, and appears to be in a course of progressive improvement.

"I have directed the estimates of the current year to be laid before you. They have been framed with every attention to economy which the circumstances of the country will permit; and it will be satisfactory to you to learn, that I have been able to make a large reduction in our annual expenditure, particularly in our Naval and Military establishments.

"My Lords and Gentlemen,

"I have the greatest pleasure in acquainting you, that a considerable improvement has taken place in the course of the last year, in the commerce and manufactures of the United Kingdom, and that I can now state them to be, in their important branches, in a very flourishing condition.

"I must at the same time deeply regret the depressed state of the agricultural interest.

"The condition of an interest, so essentially connected with the prosperity of the country, will, of course, attract your early attention; and I have the fullest reliance on your wisdom in the consideration of this important subject.

"I am persuaded that, in whatever measures you may adopt, you will bear constantly in mind, that, in the maintenance of our public credit, all the best interests of this kingdom are equally involved; and that it is by a steady adherence to that principle, that we have attained, and can alone expect to preserve, our high station amongst the nations of the world."

His majesty then retired, and the Commons returned to their own House.

Address on the King's Speech at the Opening of the Session.] His majesty's Speech being again read by the lord chancellor, and also by the clerk at the table,

The Earl of *Roden* rose for the purpose of moving an Address of thanks to his majesty. He began by observing, that he could assure their lordships, that he sincerely wished the duty he was about to perform, had been undertaken by one better able to discharge it, and, in particular, better qualified than he possibly could be, to enter into all the details, which the full consideration of so gracious a communication as that which now called for their lordships' attention, required. As the day on which he appeared before their lordships was the first on which he had taken his seat in that House, it might, perhaps, have been expected that he would have waited for a more remote opportunity of expressing his sentiments; but he freely confessed, that he had undertaken to move the Address with particular satisfaction; because he anticipated their lordships' concurrence in it; seeing that what he was about to propose would contain nothing which they or any individual could object to. It must have afforded much gratification to their lordships, as it would do to the country, to hear from his majesty, year after year, that he continues to receive from foreign powers the strongest assurances of their friendly disposition towards this country. It must indeed afford much satisfaction to learn, that those powers continued to maintain among themselves, as well as with us, those amicable relations which had now subsisted for seven years; and which, after a long war, permit the taking advantage of a time of peace to cultivate those blessings which can alone be secured in a period of repose. But, notwithstanding the friendly relations which subsisted among the European powers, and the assurances of the friendly disposition of foreign powers towards this country, differences had arisen between the court of St. Petersburgh and the Porte. Those differences, however, his majesty had endeavoured, in conjunction with his allies, to reconcile. Hopes, it was stated, were entertained that they would be satisfactorily adjusted; and he was sure their lordships would concur with him in wishing that those hopes might be speedily realized. But if, unfortunately, the endeavours to restore a good understanding between Russia and the Porte should not be successful, their lordships would, perhaps, be of opinion, that the proper line of conduct for the British empire to observe, in the first instance, was, to keep clear of the dispute, and to look on the conflict as distant spectators. But, however advisable this course might be, a great interest would unavoidably be excited by such a contest. For his own part, he was free to declare, that he could never look on a war between a Turkish government and a Christian power without feeling great anxiety for the result of the struggle. It was impossible to look on a Christian government, acting on Christian principles and influenced by Christian motives, engaged in such a contest, without taking a strong interest in all the events that might occur. Whether the Russian government had, in the dispute, acted on those principles and motives, was a question on which their lordships were not called upon to pronounce any opinion. All that he would propose

was, that they should return their dutiful thanks to his majesty for the exertions he had made to preserve tranquillity.

In alluding to that part of the speech which related to the revenue, it was with great pleasure he referred their lordships to his majesty's declaration, that, during the last year, there has been a considerable increase in the revenue, and that it appeared to be in a course of progressive improvement. His majesty had also acquainted parliament, that a considerable improvement had taken place in the manufactures and commerce of the country; and that they were, in many important branches, in a very prosperous state. This was a subject of congratulation in which their lordships would be happy to concur with him. It was true that the depressed state of the agricultural interest was much to be regretted and deeply to be deplored. In the distress and difficulty produced by this depression, their lordships were themselves, in common with all landed proprietors, involved. Into the state of this distress, parliament, he was confident, would, without delay, institute a dispassionate inquiry, and he trusted the result would be, if not a total removal of the evil, at least a considerable mitigation. It was not necessary for him to enter farther into this important subject at present. He should only observe, that in discussing it, or any other question of the kind, it would be necessary always to bear in mind the duty of preserving public credit. Their lordships, he was sure, would never allow any feelings of their own interest to enter into competition with public faith and national honour. He was aware that the difficulties with which the agricultural interests had to contend were ascribed to burthens and national expenditure. He was aware that blame was by some attached to the government, which had, by its measures, produced so large an expenditure; but what would have been the state of the country now, had not those measures been resorted to? Without such measures, the war certainly could not have been successfully carried on. He could not anticipate in his own mind what might have been the state of the country, had another course been followed; but he had no doubt that whatever saving was practicable would be adopted; and their lordships were assured, that the estimates for the year had been framed with every attention to economy which the circumstances of the country would permit. The distress of the agricultural interest arose in part from difficulties which were past. Parliament, he had no doubt, would early in the session take the subject into consideration; and he was confident that no endeavour would be spared to apply a remedy.

His majesty, in his gracious Speech, had alluded to his visit to Ireland. In his majesty's reception in that country, he (lord Roden) had had the pleasure and the privilege of participating. His majesty was pleased to state, that he had derived the most sincere gratification from the loyalty and attachment manifested by all classes of his Irish subjects. Every one who knew the loyalty of Ireland must be sensible that such an occasion was calculated to call for its expression. His majesty's visit, notwithstanding what had since occurred, had been and would be attended with most advantageous results. It had been the means of removing long-standing differences and heart-burnings. Enmities which had existed for many years had been reconciled. His majesty's parting advice to the Irish people, conveyed in a letter from lord Sidmouth, had been followed by most beneficial effects. With regard to what had been stated from the throne on the condition of Ireland, he might be permitted to say, that in that part of the Speech he felt himself more deeply interested than any other. But, attached as he was to the best interests of that country, in which a spirit of outrage, as his majesty justly remarked, had led to daring and systematic violations of the law, still he was unwilling to enter at present into any details on the subject; and the more so, as an opportunity would probably soon arise of which he could with more propriety avail himself, to state his opinion of the nature and extent of the evils which afflicted Ireland, as well as of the remedies which, in his judgment, ought to be applied. It would, however, be in him a dereliction of duty, were he not to state the conviction of his mind that the great cause of these evils was non-residence. It was the great number of absentee landlords which formed the principal evil. Their absence broke those links which were necessary to preserve confidence between the different ranks and relations of society. Many possessing great property in that country remained strangers to it; and, whatever might be their rank and influence, they did not contribute by their presence to the wel-

fare of Ireland. He would most earnestly entreat the absentee landlord to consider the cause to which he had alluded, and not to look with indifference on a country from which he derived so much benefit. Let him reflect on those scenes of outrage which, though his absence may not have caused, his presence might have prevented. While adverting to the spirit of outrage which unfortunately prevailed in Ireland, he should be guilty of a great omission were he not to acknowledge the vast improvement which had, particularly within the last ten years, taken place in that country. That improvement was chiefly owing to an extended system of education on the principle of general instruction, supported by private funds and subscriptions. The operation of this system of instruction had been in itself most beneficial; but it had been powerfully assisted by that great engine of the Reformation, which he was sure every noble lord who heard him would be disposed to approve and support—he meant the Bible society. Among the other benefits which that society had conferred on Ireland, it had greatly contributed to heal differences which had subsisted for many years among different parts of the population. The state of Ireland must, however, soon come under the consideration of parliament as a whole. Among other questions which must then be entered into, would be that of the existing powers of the law, in order to ascertain how far those powers were fitted to meet the present exigency. He was sensible, however, that any cure of this kind which might be applied, could only be in its nature temporary, and that residence was the great means by which tranquillity was to be secured, and civilization promoted. He was therefore anxious that their lordships should look to that as a permanent remedy. The interest he naturally took in this part of the subject had induced him to trespass longer on their lordships' attention than perhaps such an occasion required; but he could not be satisfied to return next week to Ireland, as he intended to do, without stating the conviction of his mind on this important question of residence. The noble earl concluded by moving an Address, thanking his majesty for his most gracious Speech, and recapitulating its several topics.

Lord *Walsingham* solicited their lordships' indulgence, whilst he said a very few words on seconding the Address which had just been moved. The noble earl who had moved it, had happily relieved him from the necessity of saying much, by his able and eloquent exposition of all those points to which it was necessary to advert. It was satisfactory to hear from his majesty the assurance of the continued friendly disposition of foreign powers, the continuance of peace being undoubtedly of the greatest importance to the interests and welfare of the country. It was also satisfactory to learn that there was every reason to believe that the differences between Russia and the Ottoman Porte would be amicably adjusted. It was highly gratifying to learn the prosperous state of our commerce and manufactures; and though, undoubtedly, the agricultural interests of the country were at the present moment suffering a great depression, it might be fairly hoped that relief was at no great distance.

The Marquis of *Lansdown* said, he was anxious to offer a few explanations as to the grounds of the vote he intended to give. He should not have thought it necessary to take that moment for making those explanations, but no other noble lord having presented himself to the House, he thought it proper now to state his view of the importance of the topics touched on in the Speech from the throne —topics, indeed, of the most distressing nature for this country, and which had forced themselves into special notice, notwithstanding the natural reluctance which those who framed the Speech must have felt to bring them forward. Following nearly the order taken by the noble earl who had, with so much propriety, moved the Address, the few observations which he had to make would be divided chiefly between the topics which related to the state of England and Ireland; and here he could not but remark upon the melancholy circumstance, that, although it was now twenty years since the union with Ireland was concluded, still it appeared necessary for persons, in discussing the interests of the United Kingdom, to consider those of Great Britain and Ireland separately, as two distinct parts; and this, too, at a time when to both countries there belonged one common feature of agricultural distress. Much as he rejoiced in the prosperity stated in the Speech to be experienced by the manufactures and commerce of the country, he could not but consider the consolation thereby afforded

to be greatly overbalanced by the distress in that branch of industry which formed the solid foundation of national wealth. He hoped he should not be regarded as undervaluing those sources of prosperity which his majesty's Speech stated to be in a flourishing condition, when he observed, that he chiefly estimated the advantages of that prosperity for its influence in vivifying agriculture. He wished their lordships, before they came to the conclusion that this prosperity existed, to be sure that they reached that conclusion on a solid foundation. He did not mean to say that it did not exist; but when it was recollected that a great portion of the commercial prosperity alluded to arose out of a new trade to North and South America, it was of importance to inquire upon what footing that trade stood. It was obvious that the advantages of the trade must depend upon the nature of the speculations which had been entered into; and some time must elapse before the success of those speculations could be ascertained. But, be the result of the inquiry what it might, still he must place the chief value of this commercial prosperity in the influence it might have in stimulating to the cultivation of the soil, and in vivifying all the branches of agriculture—with regard to the means of relief for the existing agricultural distress, he should be ready to listen to any measure which might be proposed; but he was happy to observe that the Speech and the Address directly pointed to the only course by which that object could with certainty be obtained. This was the first time since the peace, that in an address from the throne, a large reduction in the annual expenditure to be produced by a diminution of the great establishments of the country, had been distinctly promised. To retrenchment of the expenditure their lordships must look for any thing like real relief; and it was with great satisfaction he had heard, that on the present occasion something more than mere profession was meant. But, after the experience he had acquired on this subject, he must beg to be allowed to see the extent of the retrenchment, and the principle on which it was to proceed, before he could look with confidence to it as a means of relief. He must also observe, that when he should be called upon to exercise any species of gratitude for such retrenchment—which he believed he was not called upon to do by this address—he should think it is duty to remind those who made such a demand upon him, that it was much to be regretted that the economy now found to be so advantageous had not been practised before. They were now told that a system of retrenchment would be advantageous, and that great economy was indispensable. This reminded him of an observation which had been made on a book written by a noble lord, once a member of that House. When lord Lyttleton published his Dialogues of the Dead, Dr. Johnson remarked, that his lordship had only told the world, at the end of fifty years of his life, what the world had for fifty years been telling him. The reductions formerly proposed, had always been met with defiance, and positive declarations that no farther reductions could take place consistently with the public interest. During the last summer, therefore, some new light must have broken in upon ministers, which enabled them to see that reductions formerly deemed impracticable could now be effected. This new light enabled them to discover, that Receivers-general, who could not be dispensed with two years ago, were now fit subjects for reduction. The address to the throne, at the end of the last session, had pledged ministers to measures of economy, and the new light of last summer had enabled them to carry them into execution. Though he thought them tardy, he rejoiced at last to see that their professions of economy had been followed by some result; and he hoped that their measure had been applied so as to effect the intended object on a principle of impartial justice. With the principle on which it had been done, and the extent to which it had been carried, he must be acquainted, before he could pledge himself to an approbation of the proceedings alluded to, and of the Speech from the throne. He would not now enter into the question, whether economy was the only source of relief that could be pointed out for the prevailing distress, or whether any other means of alleviating it could be applied; but if the paragraph in the address, holding out other hopes of relief, had a reference to a communication said to have been made within these twenty-four hours, by the noble lord at the head of the Treasury, to certain bankers, whom he consulted as to its tendency, he must protest against the opinion, that such a measure

would be productive of any beneficial effect. He called upon the House, he called even upon the noble earl himself, to reflect whether it would not aggravate the distress which it was intended to relieve. He need not inform their lordships that he alluded to a proposition, stated to have been made by the noble earl opposite, for issuing Exchequer bills to the amount of 5,000,000*l.* to be advanced to the agricultural interest, through the medium of the country bankers. Their lordships would consider whether relief could be found in offering to advance money, at a time when money was abundant and security rare. The great aggravation of the farmer's distress was, that he could not find security; because if he produced good security, there was not a banker in England who would not advance him the money he required. If, on the other hand, the advance was intended as a free gift to the agriculturist, the effect of it, even on the noble earl's own principle, must be detrimental to the interests of the country, not excepting the agricultural itself. This, he thought, could not be denied by the noble earl himself, if he still believed that the farmer's distress arose from a superabundance of produce above the demand of the consumer. The application of four or five millions of additional capital, to increase an amount of produce alrea ly above the demand, seemed a strange mode of remedying the distresses of the grower. On the noble earl's principle, the remedy ought to consist in a diminution, and not in an increase of the capital applied to agriculture. But he need not enlarge upon this topic: he was convinced that the measure was already given up—that it would not be brought forward in parliament, and could not receive the sanction of their lordships. If advances were made to distressed farmers upon good security, he saw no objection to it; but he was sure it was unnecessary, and that it would produce no relief, considering that, if such security could be given, advances might be obtained from private bankers, as well as from government. He had stated thus much, not to withdraw their lordships attention from the subject of the agricultural distress, or to discourage all hopes of its alleviation, but to direct their efforts to the only real, certain, and expedient mode of relief—a reduction of the public expenditure.—He came now to the second great topic in the speech of the noble earl who moved the address; namely, the state of Ireland. There were none of their lordships who could refrain from experiencing the deepest feelings of pain and sorrow, on contemplating the scenes of outrage and violence which had occurred in some districts of that country; and all must look forward to the means of removing them with the greatest anxiety. And here he must observe, that he was most happy to express his approbation of the choice which government had made of the individual whom they had deputed to superintend the administration of Ireland. A more wise or judicious selection could not have taken place. In the marquis Wellesley would be found, he was convinced, a firmness and vigour sufficient to repress existing disorders, and to restore speedy tranquillity; at the same time that he would display a reach of mind capable of discovering future legislative and political remedies; the causes of these afflicting evils he would not fail to probe to the bottom, and, soaring above the prejudices of the past and present, would lay the ground of general and lasting amelioration. He (lord L.) was not now prepared to inquire into the causes of those frightful disorders to which he had alluded. He believed their removal must be effected, not by any single remedy, but by a combination of remedies; as they were occasioned not by a single cause, but by a combination of causes. The evil of absentee proprietors (within which number he was included, from causes beyond his own control) which the noble earl who moved the address had deplored, was not the sole or even the principal, evil to be cured. An evil he admitted it to be, not only as a cause, but as the effect of others, and which, in its combination with others, rendered Ireland different in law, and different in fact, from any other country. He did not look to the vigorous arm to which its government was now confided merely for a present and immediate termination of outrage, but for the commencement of a new system of policy. The liberal mind of the noble marquis would discard the absurd, though by no means uncommon prejudice, that there was something in the soil and climate of Ireland which necessarily tended to produce a semi-barbarous race, incapable of improvement, and insensible to the advantages of civilization. When we looked at the state and condition of

that people, we could easily discover that it had its origin in causes unconnected with their natural situation; that the evils under which they laboured were deeply fixed in the events of their history, and the system of government under which they had been ruled. He would not enlarge further on the subject, as it was his intention to bring the state of Ireland on an early day under their consideration, unless anticipated by his majesty's ministers. But, whether the subject was introduced by the ministers of the Crown, or by so humble an individual as himself, he trusted that the remedies in view would not be confined to new penal enactments alone. He did not deny that additional powers might be necessary to check and repress the spirit of disturbance which so unfortunately now existed; but an immediate cessasion of outrage produced by such means ought not to satisfy them.—The noble earl who moved the address had alluded to the state of our relations with foreign powers; and the observations he had made on that subject, with the paragraph in the address which embodied them, relieved him from the necessity of expressing any opinion, which must be in entire concurrence with what had been already said. He fully agreed with the noble earl that in a contest between Christians and infidels, and between Greeks and their oppressors, there could be but one feeling and one hope amongst a civilized and Christian people. At the same time, he concurred with the noble earl, that it was not by direct interference that any good could be accomplished, or any progress made, towards a result so generally desired. He was happy, however, in this opportunity of expressing his hope—a hope which he should be ashamed to disguise—that Greece might be freed from the yoke of its tyrants, and become happy and independent. With these observations, and with this reserve, he was willing to give his support to the address.

The Earl of *Liverpool* said, that, as the noble marquis had made no positive objections to the Address, he should not have felt himself called upon to offer any remark, had it not been for one passage in which the noble marquis had alluded to a transaction in which he (lord Liverpool) was concerned; namely, to the interview which he had had the day before with some of the London bankers. Although called up by this circumstance alone, he would, however, take the opportunity of saying a few words on the other topics introduced into the speech of the noble marquis. Adverting to the subject of economy, the noble marquis had accused his majesty's ministers of tardiness in making the necessary reductions, and had spoken of the present as the first time in which any practical retrenchment had been effected. Now, it would be in the recollection of their lordships, that in the course of last year, reductions had taken place to the amount of between one and two millions; and that at the time those reductions were announced, others were promised for the present year. It had been stated immediately after the conclusion of peace, that our establishments must be reduced, but that from the nature of the case these reductions must, in some instances, necessarily be gradual. Government had accordingly proceeded on that principle, and, both during last year and the present, had fulfilled their pledges. Whether the reductions alluded to in the Speech from the throne would satisfy the expectations of the noble marquis, he, of course, could not say, nor did he now feel himself bound to state either their amount, or the mode in which they had been effected. He only wished to guard himself from a suspicion hinted at by the noble marquis, that, in carrying them into execution, any of the principles of justice or impartiality had been violated. He claimed only a candid suspension of their lordships judgment, until the whole scheme should be laid before them; and they would then see, that strict justice had characterised the arrangement—that the changes had not affected persons in inferior situations only—and that those who were at the head of our different establishments, and whose duty it was to advise the proceeding, had not exempted themselves from the application of the rule which they were prescribing for others. Being on this subject, and allowing as fully as any of their lordships, the propriety and expediency of all practicable retrenchment, he could not, at the same time, permit their lordships to go away with the delusive idea, that any possible reductions could afford any material or sensible relief to the distress of the agricultural classes. Reductions of every kind might, he acknowledged, be right in themselves: they might relieve the minds of the people, and reconcile them to the endurance of their temporary difficulties,

and might ultimately be of real advantage; but, to hold out that they could immediately remove the existing pressure by such means, could only mislead the public mind, and raise hopes which must be disappointed.—The noble marquis had concurred with that paragraph of his majesty's Speech which represented the improving state of our commerce and manufactures; and he added, with perfect truth, that such improvement was the more satisfactory, as it must necessarily produce a beneficial influence on our agricultural interests. In this sentiment he most cordially joined. There was no idea so erroneous, or so unworthy of a statesman, as the supposition that the interests of any of the great classes of the community could be separated from, or placed in hostility to, each other. They were all—agricultural, commercial, and manufacturing—linked together; they all flourished or suffered from the same causes, and the prosperity of one must finally extend its beneficial influence to the rest. He agreed with the noble marquis, that notwithstanding the importance of our commercial and manufacturing interests, agriculture must still be considered the great source of our wealth and greatness; but prosperity could not exist for a long time, or to any great extent, in the two former branches, without promoting the improvement of the latter. Those, therefore, who would depress one class in order to raise another, who spoke of making one class pay the price of relief to another, were striking a blow at the interests of both. The advancement of our trade must lead to the relief of our agriculture, as an injury to the former must be prejudicial to the latter. No one understood better, no one would more readily admit this principle, than the noble marquis. The doubt which the noble marquis had thrown out, regarding the possible insecurity of our present commercial transactions, and of the danger of excessive speculation leading to re-action, he trusted would prove unfounded. He could not, indeed, say how far the continuance of our recent commercial successes could be relied on. On former occasions, he was aware that over-trading had produced serious calamities; but there was this difference between those periods and the present—that our merchants were now more cautious, were satisfied with smaller profits, and were free from that spirit of gambling enterprise, natural in time of war and which had prevailed during the first years of the peace. Although, therefore, their profits might not be so great as heretofore, they were raised upon more solid foundations, and might fairly be regarded as more substantial and durable. As connected with this subject, he now returned to that topic which was the cause of his rising—he meant the proposition which the noble marquis supposed him to have submitted to certain bankers of the city of London, with a view to the relief of agricultural distress. That noble marquis stated him to have proposed an issue of Exchequer-bills to the amount of 5,000,000*l.*, to be applied, through the medium of the country bankers, in advances to the landed interest. No such communication was made; nor was the proposition, thus specified, in contemplation. Government had taken, undoubtedly, into their serious consideration, the best mode of extending the relief in question; and a proposal for issuing Exchequer bills was certainly in view, and might yet be brought before parliament. He would not now enter into its details: he admitted that the state of agriculture must be judged of by the usual principles of supply and demand, and that reference must be had to those principles in every proposed measure of relief. There were some who thought that excessive importation in 1816 and 1817 was the cause of the present distress. In this opinion he could not concur; because the distress had continued and increased, after the ports were shut against foreign grain. There were others, and he was certainly one of them, who ascribed it chiefly to superabundant home production. When the situation of Ireland was taken into the account, this opinion was rendered the more probable. In the course of the last five years, seven and a half millions of quarters had been imported into Great Britain from that country; and even during the last nine months the importation amounted to a million and a half quarters. The last Corn bill, which excluded foreign competition, and allowed a free import of corn from Ireland, had (and he had suggested the probability at the time) caused an excessive increase in the production of that part of the United Kingdom, and must have, in some degree, extended cultivation throughout the whole. It had been said by the noble marquis, that the advance of further capital to agriculture could not remove an evil that arose from an already excessive produc-

tion; but there might be a natural evil of this kind, and another that was artificial, and which the principal of over-production would not account for. The latter might be removed by a measure like that in contemplation. Government had, on several occasions, issued exchequer bills for the relief of commercial distress, in cases where the objections were nearly the same. These issues had produced their effects: they had been advanced upon good security, and had been repaid without the smallest loss. He was aware of the difference between agriculture and commerce in many respects. He contended, however, that the difference between the two cases did not consist in the principle itself, but in the difficulty of its application. In this instance, as well as in the cases of commercial distress, no assistance certainly could be granted except upon good security, or without conditions, to be explained when the measure should be brought forward. All that he would now observe was, that there was no intention of applying it in the mode described by the noble marquis.—He would now briefly allude to that portion of the noble marquis's remarks which related to the state of Ireland, as it afforded him an occasion for mentioning, that before the House adjourned, he should have to lay upon their table, papers containing certain communications from the noble marquis at the head of the Irish government. These papers would be printed to-morrow, and upon their contents it was his intention to propose a measure for arming the executive government with additional powers. This measure was, however, to be confined in its duration to the present session of parliament; so that their lordships, before they separated, would have an opportunity of ascertaining its results, and deciding on the propriety of its continuance or expiration. It was allowed on all hands that government ought to be put in possession of the means of effectually protecting the lives and property of his majesty's loyal subjects, and of putting down that system of outrage and violence which prevailed. He concurred with the noble marquis in all the praise which he had bestowed on the vigour and talents of the noble person at the head of the Irish government; he was sure that he would direct all the faculties of his powerful mind to probe the evils with which Ireland was afflicted to the bottom, and to find out the most effectual remedy for them. The noble marquis had expressed a hope, that though new penal measures might be necessary, they would not be the only measures resorted to. This hope he was happy to think might be realized. The whole state of the country ought to be looked into for the purpose of applying the proper remedy. This was a subject, however, into which he could not at present enter. The effect of absentee proprietors, and the other circumstances which characterized the state of Ireland, and which had been alluded to by the noble mover of the Address, could not be then discussed. But with regard to his majesty's visit to that country, and the consequences attending it, there could be but one opinion. Though it had not prevented those scenes of disturbance which commenced even before his majesty quitted its shores, it had increased the general loyalty and attachment of his Irish subjects to his person. No sovereign ever was received, not merely with louder acclamations, but with more heartfelt gratification; and it was a singular circumstance, that in the disturbed districts, where the laws were daily transgressed, no hostility was manifested towards his majesty's government. He had in his possession a letter which he had received from a well-informed gentleman of that country, which stated, that notwithstanding all that had taken place in the south of Ireland and some other districts, yet, were his majesty now to appear in Limerick, he would be received with demonstrations of satisfaction and delight similar to those which welcomed him to Dublin. It was, indeed, observable, that in all their discontents and excesses, these people never quarrelled with the government, as a government; nor did religion enter largely into the motives or pretexts of their outrages. He made this observation, not to prejudge any question that might afterwards come before them, but to suggest, for their lordships' consideration, whether the evil might not lie deeper in the frame of society, than in any political cause or relation between the governors and the governed. The situation of that country was unlike that of any other in Europe; it had been so for ages, and continued to be so still. Though penal measures might, therefore, be resorted to for the purpose of putting down the immediate disorder, they ought not to place an exclusive reliance on the operation of them. In respect to our relation

with foreign powers, he did not feel himself called upon to offer any remark, as no objection was made to that part of his majesty's Speech which referred to them.

The Earl of *Blesington* said, that on the subject of Ireland, he was happy to be relieved from a task to which he had pledged himself last session, and rejoiced that the state of that country would be brought under their notice by a noble lord so much better qualified to do it justice. He might, indeed, fairly remind their lordships, however little inclined to listen to him, that he had, so far back as the year 1816, anticipated that, unless something was done, the present evils would inevitably occur. In 1819 he had repeated the observation, and had implored the attention of his majesty's government to this subject. He had always maintained, that the existing evil of non-residence was to be attributed to the Union. The war, too, had led to consequences not anticipated during its continuance. He did not, however, rise merely to give vent to his complaint that the subject had not been earlier investigated; but to express his thanks to the noble marquis, for the notice which he had given, as well as the gratification he felt at the prospect of government at length interfering on behalf of that country.

The Address was then agreed to *nem. diss.*

HOUSE OF COMMONS.

Tuesday, February 5.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] The Speaker acquainted the House, that that House had been in the House of Peers, where his Majesty had delivered a most gracious Speech to both Houses of parliament, and of which, to prevent mistakes, he had obtained a copy [See p. 1.]. After the Speaker had read his majesty's Speech,

Mr. *Robert Clive* rose to offer himself to the attention of the House for the purpose of moving an Address of thanks to his majesty for his gracious Speech. He would not apologise for his inability to do justice to the subject, as he conceived he should best consult the convenience of the House by proceeding at once to those points which he should submit to their attention, and which he hoped would meet with their unanimous concurrence. On the first point of the Speech he apprehended there was but one opinion; namely, satisfaction that his majesty continued to receive from foreign powers the strongest assurances of their friendly disposition towards this country. It was to be lamented, that since parliament had last met, the same friendly disposition on the part of the European powers towards one another had been endangered, and that differences of a serious nature had arisen between the court of Russia and the Ottoman Porte. On such a subject, he could not state more, than that as the Turkish empire had always been considered as an European power, any change affecting her territory must be the subject of deepest anxiety to the other states. It was impossible to know where hostilities, when once begun, might end, or how far they might tend to the destruction of the peace of Europe. It must be a source of gratification to the House to learn, that the other powers of Europe were, like our own government, anxious to allay the difference which had arisen between the two countries he had named, and that reasonable hopes might be entertained of a favourable result to the pending negotiations. He could not leave this part of his subject without making an humble attempt to show the House the commanding and elevated situation in which this country now stood. She had proceeded through a period of difficulty and danger unparalleled in our history, and had resolutely fought for her independence: she had been instrumental in preserving the independence of other nations; and she was now occupied in endeavouring to maintain that general repose which her exertions had contributed to establish throughout Europe. In maintaining the desired tranquillity, the House of Commons would be a powerful instrument; its voice would penetrate, however distant, the place where it might be necessary to make it heard. Immediately after the death of our late much revered and lamented sovereign, his present majesty had formed the design of visiting different parts of his kingdom. His first object was, to visit Ireland: thither he had first directed his course. He would not attempt to describe the affectionate enthusiasm which greeted the arrival of the first sovereign of the house of Brunswick that had visited that island, or the loyalty that was manifested by all classes of his majesty's faithful subjects, upon that occasion. Those circumstances would never, he would venture to

say, be effaced from the recollection of the illustrious individual by whose presence they were elicited. Subsequently a cloud had overspread that island. A spirit of insubordination, which had led to systematic acts of outrage, had appeared abroad. From the description of persons by whom those acts of violation had been committed it appeared that they had originated in local causes; perhaps in individual mismanagement, productive of distress in a very eminent degree. There was one observation, however, which he thought it necessary to make with respect to the disturbances which prevailed in Ireland; namely that they were unconnected with any political or religious feelings. The House had been told that his majesty was determined to make every attempt in his power to protect the rights and property of his loyal and peaceable subjects in the sister island; and he trusted the House would co-operate with his majesty, and enable him to carry his intentions into effect.—The communication which had been made with respect to the state of the revenue must give great satisfaction to the House. The improvement in the revenue had been considerable, and it was progressive up to the present moment. The House would be glad to learn from his majesty's speech that every attention would be paid by government to economy—important at all times, but now most important. It appeared that considerable reductions had been made in the scale of the annual expenditure, particularly in the naval and military departments. The weight which had been pressing upon the manufactures and commerce of the united kingdom was now gradually diminishing; and activity again prevailed in the most important branches of our trade. He would not, however, dwell upon that subject, but would leave it to be discussed by his hon. friend who sat near him, who was better qualified for the task. It was to be regretted that he could not use the same language of congratulation with respect to the state of agriculture. It was too true, that that important branch of the national wealth was labouring under severe depression. There was no object, he was certain, to effect which ministers would more cordially co-operate, than that of endeavouring to relieve the agriculturist of the burden which pressed upon him. The subject would occupy the attention of the House during the course of the session, and it was to be hoped that investigation would lead to some remedy. The House ought to bear in mind the comparative state of trade two or three years ago and at the present moment. They should look at the gradual advancement of the revenue. In 1820, the principal increase was under the head of Excise; this year it was under the head of Customs. The House, too, would observe that the revenue of Ireland had been gradually improving up to that time. When, therefore, he knew that for the last two years commerce and manufactures had been gradually improving, he trusted he should not be thought too sanguine in expressing a hope, that the agricultural interest would, before the expiration of the year, experience a similar amendment.—There was one other point to which he wished to call the attention of the House, and perhaps it was the most important that could be offered to its notice—he meant the necessity of maintaining the public credit. It was public credit that had advanced the country to that proud eminence on which she now stood; and it was of the utmost importance to the national character—perhaps he might say to the future existence of the country—to maintain it inviolate. After returning thanks for the patience with which the House had listened to him, the hon. gentleman concluded with moving, "that an humble Address be presented to his majesty, to return the thanks of this House to his majesty for his most gracious speech from the throne:—To assure his majesty, that we learn with much satisfaction the continued assurance of the friendly disposition of Foreign Powers towards this country:—To acknowledge with gratitude the interest which his majesty takes in the preservation of the peace of Europe, and the endeavours which his majesty has directed, in conjunction with his allies, to the settlement of the differences which have unhappily arisen between the courts of St. Petersburgh and the Ottoman Porte; which differences we learn with pleasure his majesty has reason to hope will be satisfactorily adjusted:—To express the participation which we feel in the gratification his majesty derived in his late visit to Ireland, from the loyalty and attachment manifested by all classes of his majesty's subjects, and at the same time in the concern which his majesty so graciously manifests, that a spirit of outrage which has led to daring and systematic violations of the law, has arisen and still prevails in some parts of that country:—To assure his majesty, that he may rely

on our support in every measure necessary for the protection of the persons and property of his loyal and peaceable subjects; and that we shall not fail to take into our immediate consideration, whether the existing laws are sufficient for that purpose:—That we rejoice to think that notwithstanding the serious interruption of public tranquillity, his majesty may enjoy the satisfaction of believing, that his presence in Ireland has been productive of very beneficial effects; and to express our thanks to his majesty for his gracious assurance, that all descriptions of his people may confidently rely upon the just and equal administration of the laws, and upon his paternal solicitude for their welfare:—To express our satisfaction, that his majesty is enabled to inform us, that during the last year the revenue has exceeded that of the year preceding, and that it appears to be in a course of progressive improvement:—To thank his majesty for having directed the estimates of the current year to be laid before us, and for the attention to economy with which his majesty informs us they have been framed:—To assure his majesty, that we learn with the highest satisfaction that he has been able to make a large reduction in our annual expenditure, and in particular in our naval and military establishments:—That we are highly gratified in being informed, that a considerable improvement has taken place in the course of the last year in the commerce and manufactures of the United Kingdom and that his majesty can now state them to be, in their important branches, in a very flourishing condition:—That we must at the same time most deeply regret the depressed state of the Agricultural Interest:—To assure his majesty, that the condition of an interest so essentially connected with the prosperity of the country will attract our early attention; and that his majesty may rely upon our most careful and deliberate consideration of this important subject:—That, in whatever measures we may adopt, we shall not fail to bear in mind that all the best interests of this kingdom are equally involved in the maintenance of our public credit, fully persuaded as we are that it is by a steady adherence to that principle that we have attained, and can alone expect to preserve, our high station amongst the nations of the world."

Mr. *William Duncombe* rose to second the address. In doing so, he felt that he must claim all the indulgence of the House, not only on the ground of his being unaccustomed to address the House, but also because he was conscious of his incompetency to discharge effectually the duty which he had undertaken. If, in the course of what he had to offer, any thing should fall from him which might tend to interrupt that unanimity which it was so desirable to maintain, he trusted that the House would attribute it to his inexperience. However, after the able speech they had just heard, it would be unnecessary for him to trouble the House at any length. As to the first topic in the Speech from the throne, he was convinced there was but one feeling. Whoever had had an opportunity of witnessing the calamities of war, and had seen, however gratifying the results, the miseries that were inflicted before those results were obtained, would be deeply impressed with the blessings of peace, and on that ground it was most gratifying that his majesty had received the assurances of the friendly disposition of foreign powers. It was not necessary for him to make any observations upon the differences which had arisen between the Court of St. Petersburgh and the Ottoman government. He was confident, however, that the House would be glad to learn that those unfortunate differences were likely to be amicably adjusted. He knew that the House would participate in the feelings of his majesty on account of the unfortunate situation in which Ireland was placed. It must, indeed, be a subject of deep concern that his majesty's visit to that country, which was hailed with so much enthusiasm and which terminated under such auspicious circumstances, should have been succeeded by outrages amounting to a daring and systematic violation of the law. If any consolation was to be found in such an unfortunate state of things, it was to be derived from knowing that the disturbances originated in local causes, and not in any general spirit of hostility to the established laws. The House, however, would see the necessity of seconding the measures of the executive by vigorous laws, aided by the spirit of conciliation, to suppress these serious disorders.—It was gratifying that the revenue had increased, and he was sure the House would hear with satisfaction that it was in a state of progressive improvement. It was satisfactory, too, to learn that his majesty's government had

made great reductions, particularly in the naval and military departments. With regard also to our manufactures and commerce, no doubt could be entertained that they were in a flourishing condition. With regard to agriculture, however, the same flattering assurances would not be given; and he should not perform his duty if he did not observe that it was labouring under general distress. Without entering into the causes or details of it, they were so satisfied of its importance and connexion with the other great interests of the country, that it must be the earnest desire of his majesty's ministers and the House to afford it all the protection in their power. He was aware that there were those who contended that this relief could not be afforded without a great reduction of taxation, and rigid economy; but he would ask, who were those who were so ardent in this cause as to follow up their object, without regard to the security of the country? Some immediate remedy however should be applied to the distress; and he had no doubt that such remedy would be adopted. He might be allowed before he concluded to congratulate the House that the disaffection which some time ago had shewn itself in the manufacturing districts had entirely disappeared, and had been succeeded by perfect tranquillity. This effect was partly produced by the wise measures of parliament, but in a great measure, as he trusted and believed, by the internal prosperity of the country. But, while he stated this, he might be permitted to add, that in his judgment those persons must be very superficial observers of public events, who could not perceive that there were yet individuals who were ready on every occasion to attack the constitution of the country, and to bring into contempt the established authorities of the kingdom. That such persons unfortunately existed, though few in number, appeared to his mind to admit of little doubt. Some of those persons were anxious to supplant the present order of things by some theoretical system of their own. Others were actuated merely by hatred of what was established. Fortunately, however, the constitution stood so firm on its basis, was so beautifully connected in all its parts, and was so admirably adapted to all classes of society, that it was impossible but that all who enjoyed the blessing of living under it should perceive its advantages over any other system of government. So far, however, from being injured by the arrows of malice which had been directed against it, the constitution had derived new strength from the assault; and would, after surviving the storms and attacks which it had suffered, exhibit to the admiration of the world its grandeur and stability:

Per damna, per cædes, ab ipso
Ducit opes animumque ferro.

Sir *Francis Burdett* said, that the very modest and sensible speech of the mover of the address, in answer to the Speech from the throne, had given him very little to comment on; as there was little in it with which he did not cordially agree. Of the speech of the hon. member who seconded the address, he should have been enabled to say the same, were it not for the topic introduced at the end of his speech, differing in tone and temper both from the Speech from the throne and the address in answer to it. That hon. member had said, that there were persons in England anxious to subvert the constitution of the country. This assertion was unfortunate, and in contradiction to the first part of his speech, in which he had recommended and praised the reduction of that large military force, which there was, indeed, no honest pretence for keeping up. As to the foreign politics of the Speech from the throne he should pass them over very rapidly, because in our present situation they were comparatively of very small importance. Of the territory now in contest, he would only say, that he wished heartily it was out of the Turkish possession, and in the possession of the Greeks. In saying so, he was convinced that it would be a great benefit to the Christian European world, if an independent state were erected in that part of Europe by the great and glorious exertions of that cruelly-oppressed people in vindication of their ancient liberties. He had a short amendment to propose, which was dictated by no disrespect to the throne, but by a desire to give the royal Speech that consideration, which, under the circumstances of the country, was especially due to it. In ancient times—and, as he was rather old fashioned in his opinions, in what he would call better times—better parliamentary times—it was the custom for the House of Commons to wish to deliberate before it resolved: it was the practice of our forefathers to understand before they

voted, and they held it no disrespect to the throne to postpone, until a subsequent day, the consideration of the Speech that had been delivered from it. They thus knew the topics it contained, and those which it omitted; and were able to make up their minds both upon the one and upon the other. Since the Revolution, this usage had been dispensed with; yet still some courtesy was observed towards parliament by the ministers of the day, which, perhaps, secured the practical benefits of the exploded system. The royal Speech was read over-night at the Cock-pit, to such members as chose to attend, and its contents found their way into the morning, or at least into the evening papers of the day, before the Houses were convened. Thus, such as felt an interest on the subject could honestly arrive at a decision. But of late years even this courtesy had not been observed; and the House of Commons was expected to come to an instantaneous vote of approbation of all that the ministers thought fit to put into the mouth of the sovereign. Now, he confessed that his mind was neither sufficiently quick nor capacious to be competent to this duty. He was not able on the instant to embrace and decide upon all the various topics just read from the chair. Not having, therefore, the power of divination, or the faculty of conjecturing, with any degree of certainty, what would be the nature of the King's Speech, he could not be prepared with an amendment to the address ready cut and dried for the occasion. The consequence therefore was, either that the vote was made a mere formal compliment, pledging no man, or the House was taken by surprise and required to give its sweeping and instantaneous approbation of that, which under other circumstances, it might be disposed to object to. In the first case, the address was not of the slightest value; and in the last, after a great deal of talk about conciliation and unanimity, the House was entrapped and cajoled into an apparent but insincere acquiescence.—Under such circumstances, it was his intention to propose that the King's Speech should be taken into consideration the day after to-morrow. It was fit he should observe, that as far as he could collect, the Speech from the throne was by no means such a full and satisfactory statement as the country had a right to expect. It laboured under grievances of all kinds. The people complained, not merely of agricultural distress. There were numerous violations of the law and constitution, in his mind, superior to the sufferings of the landed interest, which required redress. The constitution was at this moment, and had long been, in many important instances, infringed upon, and set at open defiance. But, with regard to agricultural distress, ministers were bound, not merely in general terms, to declare that they would observe economy. What minister, time after time, had not done so? The first Speech, after the accession of the late king, held out a promise of rigid economy; and during that whole reign, few speeches would be found without such an undertaking, but fewer were the instances in which it had been performed. The House and the nation demanded more than the idle delusion. Ministers ought to point out how and when they would carry their fine promises into effect. There was also a point of omission, very important in itself, and not at all in accordance with that anxiety which was so loudly professed, of observing the strictest economy. Not a hint had been given regarding a reduction of the monstrous expenditure of the civil list. At a time when the country was suffering under the severest pressure—when ministers were playing all sorts of tricks (for he could call them nothing else) with the circulating medium—at a time when they had succeeded in depreciating the currency, they added to the evil and the insult upon the nation by augmenting the civil list and the salaries of persons composing or connected with the government. They and their friends alone throve and flourished amid the general distress and ruin. They got the country into this condition: when the currency was at the lowest they raised their expenses to the highest, and then, without one thought of alleviating the sufferings of the people, of their own heads they all at once restored the currency to a fair metallic value, and, while the incomes of every body else was reduced to a great amount, ministers said not a syllable about reducing their own. What was this but a most selfish and unfeeling disregard of the national distress? To lessen the salaries of pensioners and placemen at such a time, seemed a measure so equitable and so obvious, that he wondered ministers were not ashamed of bringing in a bill which put so much money into their own pockets, while they took it,

in an increased proportion, from the pockets of the impoverished people. At the time when so much was said about restoring a healthful currency, and about the solvency of the Bank, ministers were often told that the Bank would be able to pay, but the real question was, whether the nation would be able to bear. It was all in vain: ministers would not take the trouble to think; the public welfare was of no consequence, when compared with their own: though the change they were about to effect came home to every private family in the kingdom, they never dreamt of weighing the bearings of the measure, with a view to put the whole population in the same relative situation. If ministers were not aware of the consequences, they showed themselves most incapable: if they were aware of them, they proved themselves most unworthy. Many persons attributed to this change, the present distressed state of the country. That many mischievous consequences had resulted from it, there could be no doubt; and as a whole, executed as it had been, it was full of iniquity and injustice. The King's ministers had brought it about: it was their own sole doing, and they alone were responsible.—Of all the topics introduced into the royal Speech, the most prominent and pressing was certainly the state of Ireland. It was impossible to look at the condition of that unfortunate island without the deepest commiseration: a kind, and industrious, and a generous people had been driven to despair; and surely it was fit on an occasion like the present, that something else should be held out to them than the sword. Their sufferings were grievous in the extreme; in some cases it had been seen they were so severe that the inhabitants preferred death in any shape to living under such complicated miseries. Perhaps the noble marquis opposite would again employ his old assertion, about a transition from war to peace; but was not much of what was now endured in Ireland to be attributed to a transition from a state of independence, to what was miscalled a state of Union? The gentlemen of Ireland and the people at large had been cajoled and hoaxed into a belief that the Union was to be complete and beneficial; yet it had turned out a mere parchment union, by which Ireland had been so reduced to the last extremity of distress, as to cause a danger even of permanent separation. Ministers had not made a single attempt to carry into effect any of the idle promises by which the Irish nation had been duped into a consent to its own destruction and debasement. What were the views of government upon this important subject? It was clear that something ought to be done without a moment's delay; and it was equally clear, that conciliation, as well as force, ought to be employed. There were three especial and striking grievances that affected Ireland. The first was the scandalous pretence on religious grounds for excluding men from their equal and just civil rights. This free and unlimited participation had been proposed at the time of the Union. This was an obvious practical evil, and unless the meetings of this House were mere matters of senseless form, it was bound to afford a speedy remedy—a remedy at all times within its power. The next grievance was the manner and mode of the tithing system. In the year 1782, what was the situation of Ireland? If she was then distressed, at least she had an ear bound to listen to the public voice: she had a parliament, and under that parliament, though calumniated, she had enjoyed a surplus revenue of about a million sterling. Since the Union, what had been the revenue of Ireland, and what had become of her surplus? She was a country enjoying every advantage which prodigal nature could bestow. She had, besides, an industrious, and ingenious, and energetic people—a people as orderly and as peaceable as any people on the earth, if they were permitted to be so. If any proof were wanting that they did not shun labour, it might be found in our own metropolis where all the severest labour was performed by the Irish. So far from being idle, they travelled many hundred miles, often at the risk of starvation, to procure, by the hardest drudgery, an honest livelihood. True it was, that the exchequers of England and Ireland had been consolidated, but had the measure improved the revenues of the latter? It had been said that the corruption in this country was purity itself compared with the corruption of Ireland: but whether this were or were not the fact, it was undeniable that the revenues of Ireland were all frittered away, and that literally a civil war had been long waged against the distillation of whiskey. Let gentlemen read the statements in Mr. Chichester's pamphlet of the efforts to put down illicit distillation, and they would find it amply sufficient to perpetuate dis-

contents and heart burnings. An examination into the state of the Excise laws in Ireland might be another and an important mode of relief. At present, the unhappy people were driven to acts of desperate retaliation; and were reduced to such a deplorable condition, that they were ready to run the hazard of any personal infliction for the sake of a moment's respite. The Speech from the throne contained not a syllable regarding Scotland; yet, could any man believe that the people there were satisfied? They were suffering under a monstrous evil. The Scotch were a wise, a wary, and a calculating nation; and though they suffered, they were not easily driven to desperation; yet it was well known by the inquiries of the House, that the system of burghs—the self election of a little narrow committee, engrossing all power and profit—was an enormous evil. The burghs were to Scotland what that House was to the kingdom at large. The noble lord beneath him (A. Hamilton) had produced irresistible arguments against this detestable system; many petitions had been presented; and if he (Sir Francis Burdett) had taken no part in the debates upon them, it was not because he was indifferent to the subject, but because he feared that his interposition might injure the cause and lead to the neglect of their. complaints. The petitioners were much mistaken, if they thought they could persuade the House of Commons, compounded as it was, to set its face against a system on which it was itself established. The country now well understood the undue and overbearing influence of ministers in the House of Commons, and that it was vain to expect any thing from such a body. He knew not, if he were indeed as wild and visionary in his actions of reform as some had represented him to be; but of all reformers the most wild and visionary, in his view, were those who hoped to effect, what they termed, an economical reform: such persons expected that, which in the present constitution of the House, could never be attained: they looked for effects without causes—"for grapes on thorns, and figs on thistles;" for until that House had been effectually and thoroughly reformed, there could be no permanent and efficient relief for the sufferings of the people of these kingdoms. Economical reform was putting the cart before the horse, reform must precede economy; for economy could never precede reform. In these times parties scarcely existed; or at least there was but one great and strong distinction between men in this country—reformers and corruptionists. These were the two great classes into which the people of Great Britain were divided; and though he acknowledged, in the fullest manner, the indefatigable labours and high merits of his hon. friend, the member for Aberdeen, though he admitted his claims upon the nation for his ability, industry, and perseverance,

"——— Neque ego illi detrahere ausim
"Hærentem capiti multa cum laude coronam;"

still he could not flatter himself with any hope that his extraordinary exertions would be attended with any thing like proportionate success. His hon. friend had, indeed, been the great practical reformer of the day, he had laid bare, in many places, the bloated carcass of corruption; but if he looked for efficient economy by any other mode than a thorough reform of parliament, he must say, that his hon. friend was one of the weakest and most visionary of reformers. If a noble lord (Ebrington) had not already given a notice upon this great paramount subject, it had been his intention to have closed what he had to say that night, with an intimation that he would bring it forward on a very early day. In his view, it was superior to all other matters, and ought to take precedence of all other questions. He became more impressed with its absolute necessity every hour of the day; and as the great Roman had ended all his addresses to the senate with the words "delenda est Carthago," so he felt disposed to terminate all his speeches to the House of Commons with the words—"reform in parliament." At present his purpose was the same, though his means were different; and in order to give time for the due and respectful consideration of the Speech from the throne, he should move, as an amendment, that the consideration of it be postponed until Thursday next.

Mr. *Hobhouse*, in rising to second the motion, took occasion to express his entire concurrence in the reasons assigned by his hon. colleague for postponing any reply to the Speech from the throne, until the House should have some time to consider its merits. His hon. colleague was quite correct as to his quotations with regard to the practice of that House in early times, respecting its replies to king's speeches; but even after the Revolution, it

was the practice of the House, as appeared from the Journals, to take time for the consideration of a speech from the throne before any answer was made to it. This particularly appeared from the conduct of that House during the reign of William 3rd, and especially upon the speech from the throne in 1697, when the country was in circumstances somewhat similar to the present. The speech of the sovereign did not on that occasion intimate any intention to reduce any part of his military force, which both parties in the House desired, and therefore, in the reply to the speech, which the House took some time to consider, they inserted an application to the king to reduce the army to seven thousand for Ireland and twelve thousand for England. When the House then evinced so much jealousy of the military power of their great deliverer from slavery and superstition, was it too much to say that some jealousy should be felt as to the extraordinary amount of our military force at present? It was said that some reduction had taken place in the amount and expence of our army since the last sessions. Of this, however, that House had as yet no regular cognizance. But he was positively assured, that no less than one hundred first commissions had been granted since the last sessions; and that fact certainly argued nothing of a disposition to reduce the expence of our military department [hear, hear, hear!]. Of itself this seemed sufficient to show the folly of blindly voting an address of thanks, while the House was in total ignorance as to what had been done to relieve the burthens of the people. It seemed to him no high compliment to what proceeded from the throne, to say, that it would not bear reflection, and that approbation, if expressed at all, must be expressed with unreflecting precipitation. To postpone, to deliberate, and then to vote was surely much more becoming the wisdom of parliament and the dignity of the Crown. The intercourse between a king and his people ought not to be a mere farce: it was a solemnity which ought never to be burlesqued, and it was now quite time to have done with the ridiculous practice of making the address a mere echo of the royal speech, a mere machine to enable ministers to congratulate themselves on all the good things which they had put into the mouth of his majesty. He begged leave to say, that there was no time so fit as the present for changing this absurd custom. The country, from one end to the other, was now satisfied that a change, not merely of measures, but of men, was absolutely necessary; and, without meaning any thing harsh to the hon. seconder of the address, he (Mr. Hobhouse) must say, that the hon. gentleman was much mistaken if he thought that the language he had used would have any effect upon the people at large. Even here, it had raised a smile among the ranks of ministers, when the hon. gentleman attributed the prevailing distress and disaffection to a wish to destroy the government, and to overthrow the constituted authorities. The nation was not afraid of the revolutionary plunderer, but of the tax-gathering plunderer, of the man who came to drag the beds from under them, and to reduce them to the last stage of poverty and wretchedness. [Hear, hear.] He trusted then that the House would hear no more of any idle clamour about revolution. The people now knew well into whose pockets fell the money that was extorted from them, and that the greater part of it was applied to the purposes of corruption. To cure these evils then he believed the great body of the people was anxious for a change of measures, and not for a change of men, as it was indifferent to them by whom the powers of government were possessed, if the country were well governed. But as to our foreign politics there was a reason against the sudden adoption of the proposed answer furnished by the example of an assembly whose general conduct he could not respect, although it might and probably was respected by ministers. He meant the example of the French chamber of deputies, which took time to consider of a reply to the king's speech, and had recently shown that they dared dissent from the sentiments therein contained. The House was called upon by the proposed reply, to congratulate his majesty upon the peace which at present prevailed in Europe, as ministers alleged. But he would appeal to any unbiassed man who heard him, what sort of peace that was? It was, indeed, the peace of the grave, but not that of justice or independence; for, what was the condition of Greece, not one word about which appeared in the king's speech, or in the proposed reply to it, although the Greeks were at present shedding their best blood in order to recover their liberty and independence? Did the hon. seconder of the address consider that the peace in which he exulted, had served to destroy

the independence of every state in Europe which had hoped for freedom? Or, was the noble secretary for foreign affairs, who had himself seen the continent, aware of the consequences of the peace which he had concluded; that it had produced some of the most unnatural and uncongenial unions, that it had annexed Norway to Sweden, Saxony to Prussia, Genoa to Sardinia, Venice and all Italy to Austria [hear, hear, hear!]? The hon. seconder had quoted some lines from Horace, and he would take leave to make a quotation from the same author, whose Venus was the very prototype of the noble lord:

"————cui placet impares
"Formas atque animos subjuga ahenea
"Sævo mittere cum joco."

But when ministers spoke of the peace of the continent, he would ask them where that content which was indicative of peace was to be found? Was it in Italy, or in France, or in the north of Germany? Or was it in that quarter of Europe where the Greeks were so gallantly fighting for their liberties? The cause of all the discontent and agitation which prevailed in Europe was not at all laid open to the House. He was convinced when the subject was fairly opened and examined, it would be found, that in many instances there had been a disgraceful invasion of the rights of man, not to be paralleled in the history of the civilized world. How, he would again ask, could any man vote for this address, congratulating his majesty upon the happy peace prevailing in Europe, while the Ottoman crescent was displayed over the bodies of those Greeks whom the Ottoman scimitar had hewn down? In the last session, charges of the gravest nature had been made against sir T. Maitland for the un-english part he had played against the Greeks, and yet, while they were unrefuted, this address was to be voted. This was peace with a vengeance. What was the fact? Great Britain had taken under her protection men who had long suffered under the most cruel despotism; yet now they were found to prefer that despotism to our protection. One of our first acts had been to disarm the population we had taken under our protection. [Hear, hear.] No wonder, then, that supporting such a system of tyranny and oppression his majesty's ministers when they framed this speech had not a single tear to shed for Greece. To revert to the delay formerly granted before the House voted an address on an occasion like the present, and to the subsequent courtesy of reading it in the Cock-pit, to which the hon. bart. had also adverted, he (Mr. Hobhouse) must observe that he had in vain sought for any cause for the discontinuance of the latter practice: he had, however, heard that it was owing to a piece of waggery in the year 1797, when a pretended speech was got up from the information thus obtained, and trumpeted about the streets. But was it fit that a mere joke of this kind should degrade a solemn proceeding into a mere farce and juggle? It was neither respectful to the throne nor to the House thus tamely and blindly to acquiesce in the dictation of the cabinet. It had formerly been recorded on the journals, that the noise was so great that the address could scarcely be heard: and it would be quite as well if it could not be heard at all, if an instantaneous vote were required upon it. He would not compliment away the liberties of parliament and the forms meant to secure them; and he hoped his hon. colleague would persevere in his amendment, to give the House an opportunity of knowing what it was about, instead of at once and precipitately, voting an address, as was at present proposed, which was a mere echo of the speech.

Mr. *Grattan* could not refrain from trespassing shortly on the House, after what had been said regarding the state of Ireland. The visit of his majesty to that unhappy island was a most beneficial precedent, and would tend unquestionably to secure the loyalty and affection of its inhabitants. That great distress prevailed among them, was admitted on all hands; and so long as Ireland continued what she was, crimes, perhaps of the blackest die, were inevitable. The speech from the throne adverted to the inefficiency of the existing laws. He had the utmost dread of Insurrection acts. Ireland was like the poor wretch flogged by the drummer: let him strike where he would, he could not give satisfaction. The condition of a country so important, so populous, but so long despised and neglected, was most extraordinary: she was not visited by the curse of God, but of government. He would concur with the most violent gentlemen in Ireland, (where there were violent gentlemen enough) in punishing crime severely; but he hoped that the whole country would not be denounced for the offences of a few banditti. His countrymen had, like other people, their virtues and their vices; but the latter were greatly

aggravated by a system of mis-government. He knew there was a great deal of discontent, of distress, and of dissatisfaction in Ireland, which had its origin in moral causes. Sorry he was to say, that a considerable part of the people disregarded their gentry; and, what was worse, set at nought the ministers of their religion. A continual warfare was carrying on against the military and the police. Such an unnatural state of things could only be produced by mis-government. It was not so in France: it was not so in England: but in Ireland, we heard of nothing but the recurrence of such disastrous scenes. A system of mis-government had long prevailed there. From severe and immoral laws, bad education, and the exercise of local tyranny, arose the evils by which the people of Ireland were visited. Nothing could possibly be more wretched than their condition. He would not look to the situation of the Irish previously to the reign of Elizabeth. If it were examined from that reign down to the present time, it would appear, with little exception, to present one series of suffering. When they contemplated the confiscations of property that had so frequently been resorted to, and all the other means of annoyance which were let loose against that people, they would not find it difficult to account for those crimes and atrocities of which Ireland had so often been the theatre. The unfortunate labourer was himself worth nothing: his furniture was worth nothing: he possessed nothing that could give him the smallest claim to the character of independence. He laboured for a few pence, which were expended in the payment of tithes, of taxes, and for the support of his priest. All this, and a great deal more than this, might be witnessed in Ireland. When they perceived the situation in which the Irish labourer was placed: when they acknowledged that he was worthy of being governed by mild and equal laws; and then viewed the conduct which was adopted towards him, they could not wonder if his severe treatment gave rise to feelings of disgust and dissatisfaction. Great, he might say incalculable sums, were received in this country from Ireland, through various channels. He wished the government would seriously set about doing good to Ireland; and that all which this country received from Ireland in the way of exports and rents, should be paid back in strenuous efforts to ameliorate the condition of society there. The gentleman was the victim of the existing law as well as the peasant. Both suffered by it. If the Irish gentleman was found to be an advocate for the system under which his country had suffered so much, it arose rather from the situation in which he had so long been placed, than from any predilection for a system which operated by means of insurrection acts, and the employment of military force. The Irish gentleman was, indeed, a great admirer of the British constitution; but it appeared to him that he had almost as little enjoyment of it as the peasant. The two countries were divided by religion, by the nature of their respective laws, and by local circumstances, as well as by the sea. The peasant did not conceive that he was protected, and therefore he took no interest, he felt not that warmth which the same class of people felt here, in any thing that concerned the measures of government. Hence it was, that the execution of the laws was frequently intrusted to the army. He knew that the gentlemen of Ireland had most important duties to perform, in securing the peace, and protecting the property of the different counties. But, unfortunately, in their anxiety for the latter, they sometimes overlooked the former They rarely thought of improving the morals and ameliorating the condition of the peasantry. [Here the House manifested some impatience.] He begged pardon for detaining them so long; but he had just arrived from Ireland, where he had witnessed distress of the most lamentable description, and he was anxious to state what he conceived to be the best remedy. The most unhappy feuds prevailed in that country. The clergy and the people were at variance. They were separated: they were constantly at war about the tithes, and a more lamentable cause of dissention could scarcely be conceived. The union had not produced the benefits which the people of Ireland had been taught to look for; they were led to believe that, when it was carried, much English capital would be transferred to Ireland. But it had not turned out so. Without meaning any personal reflection, he hoped that the justice and generosity of parliament would redress any evil which might have been produced by that measure. He called on the legislature to devise some prompt and conciliatory remedy for the evils by which Ireland was now beset. The race of farmers had disappeared, and the class of gentlemen was fast following them. How

long was such a state of things to be suffered? It was in vain to hope that the evil could be removed by severe measures. It was in vain to pass Insurrection acts, for the purpose of quieting the country. It was in vain to employ large armies in the collection of rents. Other measures must be adopted; and he was convinced they might, by a careful revision of the existing laws, restore the peace of Ireland, and bind the hearts and minds of the people to the government of the country.

The Marquis of *Londonderry* said, he felt it necessary, in consequence of the course the debate had taken, to trouble the House with a very few observations; rather with the view of giving a general understanding of what ministers meant to do, than for the purpose of discussing at that moment any of the important topics adverted to in his majesty's speech. In the whole course of his parliamentary experience, he never recollected an address to the Crown better calculated to conciliate all parties, and to produce a feeling of temper and moderation, than that which was now proposed; and he certainly did regret that any thing should have occurred which was at all likely to interrupt that conciliatory tone of feeling, the necessity of preserving which had been suggested by his hon. friend who moved the address. He begged to assure the House, that in carrying up, as he hoped they would do, unanimously, this address to the throne, his majesty's government would not consider any individual as pledged by that vote to any specific line of conduct, with reference to the important subjects which were noticed in the address. He could assure the gentlemen opposite, that ministers did not expect to find, in consequence of the vote of that night, any relaxation on the part of the House of that disposition to scrutinize the conduct of government, which undoubtedly was a part of their duty, and which he hoped they would perform severely, but at the same time justly. He trusted the hon. baronet would forgive him, if he reminded him that it was customary on the first day of the session for gentlemen to enter into a sort of general protest, such as he and his hon. colleague had thought fit to make, lest it might be supposed that they were pledged to a particular line of conduct at a subsequent period, in consequence of the adoption of any proposed address. Perhaps it would have been as well if they had stopped there; for certainly it could not be imagined, that the conduct of ministers would not be open to investigation, or that the institutions of the country might not be made the subjects of inquiry, because the address now before the House was agreed to. From the tone assumed by the hon. baronet it was easy to perceive the course which he intended to pursue during the present session. He collected from the speech of the hon. baronet, that he waved his more enlarged view of parliamentary reform—that which extended to universal suffrage—in order to make way for the more moderate plan of the noble lord (John Russell) for the discussion of which a day had been named. He would undoubtedly rather deal with the moderate plan, than with that of a broader and more extended character; but his sentiments on the subject had not varied, and he could not flatter the noble lord that he would support his intended proposition. The hon. baronet would allow him to say, that if the Address, in answer to the Speech from the throne, were understood as implying that, by agreeing to it, parliament would be pledged to support certain opinions and sentiments, then he conceived the hon. baronet should not have moved that the consideration of the Speech should take place on Thursday, but that it should be postponed for three months; because he thought that period would scarcely carry them through the consideration of all the subjects which were adverted to in the Speech—alluding as it did to our foreign policy, our revenue, expenditure, commerce, manufactures, and, above all, to that very important topic—a topic which most deeply affected the country—the state of the agricultural interest; which, he trusted, would undergo a most minute consideration. He, therefore, was of opinion that the hon. baronet had taken a false view of the time necessary to consider the Speech from the throne, if it were deemed necessary to make an immediate reply to these various and highly important points. He thought he consulted the feelings of the House, and did not at all prejudice the public interest, when he recommended the address proposed that night, as a measure which did not pledge gentlemen to any particular opinion, and which left the subjects which he had enumerated to be discussed in their natural and ordinary course. He could not consent to postpone until Thursday, the consideration of his majesty's Speech, but, on that day, if the House were so disposed, he

would propose for its consideration that part of the Speech which applied to Ireland. Considering it as the point most intimately connected with the peace and prosperity of the empire, he thought the House would best discharge its duty by going at once to that question, and entering into it, as fully as possible, on the earliest day. He should not, however, be doing his duty to the House, if he did not point out more extensively what ministers meant to do on other important topics; and he trusted when he had done so, the gentlemen opposite would see that there was no disposition on the part of his majesty's government to blink any of those questions, or to divest themselves of that responsibility which ought to attach to them in bringing those subjects forward. He proposed then, on Friday in the next week, to call the attention of parliament to a most important topic—that which stood next in importance to the tranquillity of the country—he alluded to the distress existing amongst the agriculturists, with the intention of opening to the House the view which his majesty's ministers took of that question, and also the nature of the remedy which appeared to them to be the most proper to meet the difficulty. A very anxious and, he could assure the House, a very laborious consideration had been given to this question. He next begged leave to state that his right hon. friend the Chancellor of the Exchequer would not, beyond the beginning of the ensuing week, (when he would introduce a bill for repealing and altering the existing bill relative to the superannuation of officers,) delay stating to the House the nature and extent of the retrenchments proposed to be made in the different public offices. He would connect with that statement a view of the retrenchments that had been made in other branches of the public service, particularly in the naval and military departments; and he would put the House in possession of a general statement of the revenue and expenditure, as far as it could be made up. Having said thus much, it would be evidently seen that it was not the intention of ministers to sleep on their post, in bringing those great questions before parliament, in the only way in which they could be advantageously disposed of. He was perfectly prepared that the House should look scrupulously and anxiously into the whole conduct of government; but, though he had every reason to believe that, on inquiry, ministers would be found to have given their best consideration to the present state of the country, still it would be presumption in him to suppose that the remedies which they would propose where not capable of improvement. However gentlemen might differ in opinion from his majesty's government, he believed all would feel convinced, from the explanation which they would be enabled to give, that they had applied their most serious consideration to the state of the country, in the way they had been enjoined by parliament to pursue, and that no pains had been spared by them to go to the bottom of those great questions, in order to arrive at that conclusion which was best calculated to assist the country, by the adoption of such retrenchments as circumstances would admit. It was on these grounds that he would be prepared to argue the question of economy and retrenchment when it was regularly introduced; and, therefore, he conceived the House would do well to proceed, according to the established practice of parliament, by agreeing to an address which pledged it to a specific line of conduct in future, instead of postponing the consideration of his majesty's Speech from the throne.

Mr. *Hutchinson* said, that if the noble lord, in the address which he and his colleagues were anxious to lay before the throne, meant to pledge the House to the adoption of severe measures for the protection of persons and property in Ireland, he, for one, would give it his decided negative. If the noble lord and his colleagues meant to assert that the law, as it now stood in Ireland, was not sufficiently strong for that purpose, they stated that which was not the fact. He should deceive the House, and betray his duty to the country, if he suffered it to go abroad, that in agreeing to the address that night, he recognized the necessity of enacting severe measures with respect to Ireland. He was ready to do no such thing. Such measures, in his opinion, could not produce good. He was sure that they would not restore peace or security beyond the peace of the passing moment. He would not state the feelings which seized hold of his mind when he reflected on the situation of his native land; but he would remind the noble marquis, that he had, almost nineteen years ago, in his place in that House, called on him and on his majesty's ministers to take into immediate consideration the state and condition of the people of

Ireland. The Union was carried, on the supposition that such an inquiry would take place, and that their grievances would be redressed. They were told, that the parliament of Ireland had overlooked that momentous subject, but that in the United parliament it would be fully discussed. In 1803, when that which was called Emmet's rebellion broke out, he reminded the noble marquis of that promise. He impressed on him the necessity of making the discussion of questions connected with the welfare of Ireland fashionable in the cabinet of England; and, when that object was effected, he wished some friendly and conciliatory measure to be devised for the purpose of ameliorating the situation of the people. He was desirous that the state and condition of the Irish people should be fully investigated, and he pointed out the benefits which such an investigation would produce: but, from that time to the present, the state of Ireland had not been considered, nor had the situation of that country been brought before the cabinet, except for the purpose of devising severe and restrictive laws. The colleagues of the noble marquis had resisted the concession of that great question, Catholic emancipation, the prospect of obtaining which had greatly tended to the success of the Union. He knew not what measures the noble marquis and his colleagues had in contemplation; but this he would say, that, if they meant to do their duty to Ireland and to the empire, it could not be by bringing forward severe restrictive measures for the protection of persons and property. If they meant to take a wise and efficient course, they must probe the situation of that country to the very bottom. It was most true, as the hon. baronet had observed, that the tithe system was one great evil; and he might add, that the non-residence of the gentry was another. He was aware that the whole question was a difficult one, and that it would, consequently, be difficult to devise a remedy for the different evils by which Ireland was afflicted. But if it were duly examined, it would be found that an enactment of penal statutes was not the way to render Ireland a happy and contented portion of the empire. In another part of the Speech from the throne, he understood it to congratulate the country on the increase of the revenue, the flourishing state of our manufactures and commerce, and the profound tranquillity which prevailed in Europe, and which was unruffled, except by an apprehended difference between Russia and the Ottoman Porte, which had happily been removed by the exertions of his majesty and his allies. Now, if he were correct in believing that this latter point was contained in the Speech, then he would say that there never was a speech which more completely deceived the empire and the world. He admitted, with the hon. gentleman who seconded the address, that there was no country in the world which boasted a happier constitution, or possessed greater blessings, than England, and therefore he thought that all her efforts ought to be exerted towards establishing the happiness of other states: but, did the noble marquis mean to tell the House and the country, because he had been able to preserve peace between Russia and the Porte, that therefore perfect tranquillity, unalloyed by discontent or dissatisfaction, reigned throughout Europe? If he did, he deceived himself, the House, and the country. Europe never was in a more perilous state; and if the noble marquis knew any thing about foreign affairs, he must be well aware of the fact. He hoped, when the noble marquis came to discuss the question of our foreign policy, that he would be prepared to show what he had done to support the high character of Great Britain on the continent. What, he would ask, had the noble marquis and his colleagues done to uphold the lofty and independent character of this country abroad? Had they assisted the efforts of liberty against the assaults of oppression and cruelty? He hoped they had. But if they had indeed pursued that course, he was ignorant of it. He trusted it would not appear, in the end, that, for the purpose of answering some interested views, the noble marquis and his majesty's allies on the continent had done their utmost to continue tyranny and oppression, and had lent their best support to the unholy cause of slavery and injustice.

The Marquis of *Londonderry* observed, that the address did not pledge the House to support any new penal laws with reference to Ireland. When the subject was before them, gentlemen would dispose of it as they thought fit. He should be enabled to-morrow to lay on the table certain despatches from the marquis Wellesley, which contained a statement of the present situation of Ireland. He wished those despatches to be in the possession of members before he called the attention of the House to this subject.

Sir *J. Newport* said, he would not oppose the address, as he understood that on Thursday the state of Ireland would be regularly brought before the House. It would then be matter for consideration, whether any farther measures were necessary for the purpose of strengthening the laws; and also, whether, if restrictive acts were resorted to, they ought not to be accompanied by others of a healing and conciliatory nature. He could not give his consent to any restrictive measure, unless it was accompanied by a measure of conciliation. His opinion, he was aware, would not carry much weight with it; but having for twenty sessions watched over the interests of Ireland, he could not let the present occasion pass without making this observation.

Mr. *Brougham* said, that he, for one, if it had seemed good to the House, instead of putting off for an indefinite period, or even to the time to which the noble lord had referred them, the consideration of the unexampled distress which weighed down the agricultural interest, could have wished this, the first night of the session, not to pass without their attention being directly pointed to it. He felt more particularly anxious to have an opportunity of delivering his sentiments on this subject, because, from accidental circumstances, he had been prevented on former occasions from taking a part in the discussion of one of the measures—he meant the resumption of cash payments—to which, in his opinion, much—he would not say the whole—but a very large proportion of the present distress might be ascribed. He would, however, yield to what he took to be the sense of the House; namely, that they should not that night go into the discussion of this subject; and he would reserve himself for another opportunity, when he might fully state his sentiments. He did not mean to wait for the period which the noble lord had stated, because he did not understand the purport of his intended proposition, nor did he very clearly collect the time when it would be brought forward. He would, therefore, to-morrow, on the bringing up of the report, submit to the House an amendment, touching the present distressed state of the country, and that which, he would take leave to say, could afford the only effectual relief. He was confident, whether he regarded the nature of the evil or its causes, that the only specific remedy for it, in the present state of the country, after they had resorted to cash payments, was to be found in a reduction of taxes; and a reduction to such an amount, as would not merely show the people their good-will towards retrenchment, but would demonstrate, that they meant to use that power which they unquestionably possessed in devising such measures as would, as far as possible, relieve the existing distress. He could have wished that the House had not separated that night without giving at least some general pledge of their intention to enter into this inquiry—without carrying up to the throne, in answer to the Speech, a declaration that they would lose no time in investigating every retrenchment that could be made in the expenditure of the country—not with a view to the increase of the sinking-fund by a million, or a million and a half; but for the purpose of putting an end to it altogether. Not to support that popular delusion—that arithmetical error—under which the country had so long laboured, but still farther to reduce that sinking fund, until the finances of the state was able to bear it; meaning by the finances of the state the private income of individuals, which was the only legitimate source of taxation. When that period arrived, they would be enabled to pay it in the only way in which it could be paid, by the amount of clear surplus revenue over the annual expenditure. But no intention existed to give such a pledge; and, though he might lament the circumstance, he could not prevent it. In order, however, to satisfy himself, he would to-morrow, on the report being brought up, call the attention of the House to what he looked upon as the source of the mischief, and as the only feasible and efficient remedy. He, at the same time, entreated the House not to separate with the impression (and, in justice to his opinion, it was necessary for him to notice the point particularly) that he could point out any perfect remedy. When he spoke of a reduction of taxation as the only remedy, he did not mean to assert that any thing which could be done in that way would prove a complete and effectual remedy, such a remedy as would remove the whole distress. He was not visionary enough to suppose any thing of that kind. Because he thought the changes that had been made in the currency—the various alterations which had been effected from 1797, downwards, until the last, when a metallic currency was restored, would still be found, after

all the relief which a reduction of taxes could afford, to leave behind vast national distress, and to derange all the relations of the country, in a manner which he would fain hope those who brought such measures forward did not foresee. He had pointed out the probable effects of the system, but he could now speak with the grave authority of experience, which had taught them, that the effects of the system had been most ruinous.

Mr. *Hume* said, that, in order to satisfy those gentlemen who wished for a pledge on the subject of retrenchment, he was prepared to introduce one. The proceedings in that House ought not to be guided by any man or any set of men. All ought to look to the distresses of the country, to the causes which led to them, and to the best mode by which effectual relief could be provided. He was anxious that the motion of the hon. baronet should be carried; but if it were negatived, he would immediately submit to the House an amendment to the address, and his reasons for proposing it. That amendment would constitute a pledge, which, he was sure, would be carried unanimously, if the House entertained a sincere desire to adopt an effectual system of retrenchment.

The House then divided on Sir Francis Burdett's amendment: For the amendment 58. Against it 186. Majority 128. When strangers were re-admitted to the gallery, we found

Mr. *Hume* upon his legs. He stated that the House was to consider that the Speech and the Address were both the production of his majesty's ministers; if they were not, he called upon the gentlemen opposite to deny the statement. If the hon. mover and seconder could, let them state that they did not receive the Address, and move *verbatim* what they did receive from his majesty's ministers; if, therefore, ministers had written the Address and also written the Speech from the throne, could there be a greater farce than that ministers should both dictate the Speech and the answer to it themselves, putting into his majesty's mouth one set of words, and into the mouths of the two gentlemen opposite another set of words [hear, hear]? This was the practice which had prevailed for a considerable time, but it was not the less ridiculous on that account. He was anxious that those gentlemen who were in the habit of opposing whatever measures seemed to trench on the liberties and rights of the subject, would now, that the outcry of distress called upon them from all parts of the country, have taken up the subject, and have proposed something better than any thing which could originate with him on the present occasion. He begged, therefore, to be understood, that it was only in default of any pledge being called for by others for relieving the public distress, that it became his duty to move an amendment to the Address. Before he submitted the amendment, he would frankly state, that to what had fallen from the mover of the Address he had no objection to make: he had performed the letter of his instructions strictly; he had followed sentence by sentence the substance of the Speech, and closely assimilated to it every part of his answer: he was very prudent in the line he took, and did not transgress those limits which he knew it was dangerous to go beyond. With respect to the other gentleman, he could not say so much. If he had adhered to the whole of his instructions, they had certainly gone out of that course which policy and prudence would have dictated. The worthy baronet had well observed, that the seconder of the Address had contradicted himself when he touched upon the subject of loyalty, and spoke of the faithful affection of the people to the sovereign, yet, in almost the same sentence, asserted, that there was danger to be apprehended from disaffected persons, who were desirous to pull down the throne, and, along with it, the institutions of the country. There had been, indeed, symptoms of disaffection in the country some time ago, but he (Mr. H.) denied that it was the disaffection of disloyalty: it arose merely from distress, from the state of starvation in which such crowds of manufacturers found themselves, who were then thrown out of employment; he would ask, if it could be expected that starving millions were to die without remonstrance, or effort to obtain relief? He was sorry that coercion had been made use of, as if coercion could ever deliver the country from such a calamity: he thought the harsh and precipitate six acts, instead of saving the country, had disgraced that House [hear, hear!]. He begged pardon if he used a word too strong, but they certainly had that tendency. The hon. members who voted for these six acts would have done well to have placed themselves in the situation of the hungry and naked individuals who were calling to them for relief, and then they would not, when

they asked for bread, have given them a stone. When they called to them for sustenance, they should have devised some means of obtaining for them a livelihood instead of answering their complaints by coercion and punishment.

With respect to the observations in which the hon. mover and seconder of the Address had indulged, on the subject of our foreign relations, those observations had been so ably answered by the hon. baronet and the hon. gentleman near him, that it was quite unnecessary for him to trouble the House with a word on the subject. In the congratulations of the hon. gentlemen opposite, on what they were pleased to call the flourishing condition of our commerce, they had carefully however abstained from taking any notice of the state of our colonies. He would call on any West India proprietors present to answer, whether the state of those colonies afforded any just ground for congratulation. It was deeply to be regretted, that the House should hastily congratulate his majesty on the flourishing condition of our commerce, when the colonies were in the state in which all who were acquainted with them knew they were. The great importance of this subject would be evident, when it was considered, that in one West India colony alone, above sixty millions of capital were, by the statements of those interested, at stake. But he would not dwell on this subject, he had merely adverted to it, to show that the House would not be warranted in the congratulations which they were called upon to offer to the Crown relative thereto. He was confident that inquiry would prove that every department of our commerce was much depressed by the excessive charges upon it. Reverting to the subject of our foreign relations, he trusted that he should be able, whenever the question should come under the consideration of the House, to submit such arguments as would undeniably show, that the conduct of the British government had been most disgraceful as Christians, and most abominable as men, in supporting the Turks against the Greeks as they had done, and which the conduct of sir Thomas Maitland in the Ionian Islands and our consul at Patras would prove—[hear, hear!.]

To return, however, to the Speech which had that evening been delivered from the throne, it was proper to advert to that which it did not contain, as well as to that which it did: he could not refrain from observing that this was the first time, since the establishment of the English Monarchy, at which, on such an occasion, the death of the first subject of the realm which had taken place since this House last separated, had been wholly unnoticed. It was as if his majesty's ministers had determined to carry on by neglect their persecution and insult, even after death. Such conduct was highly disgraceful to ministers; it was disgraceful to the throne, if the throne could be disgraced by the acts of ministers. Ministers had thus, in an unexampled manner, carried their enmity to her majesty beyond the grave. Even after the remains of their illustrious victim had been conveyed from the country, they consummated their injustice to her, by the omission, of which they had in the present instance been guilty. This was a subject which he had now only slightly mentioned; the time was coming when he hoped it would meet with the more serious consideration of the House; in the meanwhile, however, he felt himself called upon to declare, that no ministers of this country had ever been guilty of a similar act. They might flatter themselves that they would receive the sanction and support of the House for such conduct; but he trusted that they would find themselves disappointed. At any rate he was confident the great majority of the nation blamed them for their conduct towards the Queen both before and after death.—With reference to what was said in the Address, of the high station which this country maintained among the nations of the world, so far was her situation from being a matter of congratulation, that it must actually be one of jest and ridicule to every foreign power who observed the state of her Income and Expenditure. But before he entered that subject he would observe upon that passage of the Address which related to his majesty's recent visit to Ireland. He was one of those who had rejoiced at that visit, because he had hoped, and he still did hope, that the result would prove highly beneficial. He had hoped, and he should most sincerely rejoice if that hope should turn out to be well-founded, that is majesty's visit to Ireland might be made the means of healing the unfortunate dissentions which had so long existed in that country, dissentions which had separated man from man, and which perpetually laid the seeds of that

hostility and outrage which, year after year, disturbed the peace of that unhappy country. He did trust, that by the entire removal of those disabilities under which so large a portion of the population of Ireland at present laboured on account of religious opinions, the evils which existed in that country would be materially diminished, if not entirely removed. Indeed he was confident, that, from the moment at which a removal of those civil disabilities should take place, unanimity would be restored; and that, in addition to that advantage the expenditure of England would be most materially reduced; for those who investigated this subject would find, that, at the present moment, more than half the military expenditure of this country for its home protection was occasioned by the necessity of having a large military force to keep down those whom a long continuation of misgovernment in Ireland constantly excited to discontent and insubordination. He owned, therefore, that he did expect that those who boasted of the advantages of his majesty's visit to Ireland, would state the nature of the measures which they meant to propose for the adoption of parliament, with a view to heal the bleeding wounds of that country, and thereby to warrant an extensive reduction of the national expenditure, by withdrawing the large military force, the employment of which circumstances now rendered unfortunately necessary. While on this subject he would just observe, that the effects of the policy which had been pursued in Ireland had manifested themselves in an extraordinary manner in the revenue of that country. The disturbed state of the country occasioned a very large increase of military expense to enforce peace, whilst the revenue was at the same time decreased. The misgovernment of that ill-fated country produced a deficiency of revenue to this country and occasioned accumulated miseries to the people of Ireland. If hon. gentlemen would look at the annual finance accounts laid before parliament, they would find that the revenue of Ireland had fallen above a million since 1818. The revenue of Ireland for the year 1817 was 5,822,550*l.*; for the year 1818, 5,956,606*l.*; for the year 1819, 5,576,591*l.* and for the year 1820, only 4,933,351*l.*; so that it was evident the revenue had fallen above a million since 1818. They were now told, however, that there was an improvement in that revenue for last year of 400,000*l.* No stable improvement, however could be expected to the distresses or to the finances of the country while ministers pursued their present temporising and absurd policy; of which no stronger instance could possibly be afforded than the proposition which they had yesterday made in their conference with the directors of the Bank of a loan of five millions to the agricultural interest [hear, hear!]. It was well known to every person in the country, except, as appeared by their proceedings, to his majesty's ministers, that there was no want of capital in the country—every banker had more money than they could lend on good security. It was the security that was wanted, and the distresses of the people, in every class, were gradually reducing the means of giving security. The least that could be expected from them, while they boasted of the flourishing condition of the country, was, that they should adopt measures which might have a tendency to place the finances on a stable footing.

After what had passed last session, and after the recommendation to the House of Commons in the Speech from the throne, they were bound to take an early opportunity of examining the state of the revenue and of the public accounts, in order to place the finances of the country on a footing which might support the commanding situation which Great Britain held among the nations of Europe, he expected that his majesty's ministers would make some explicit statement of their intentions on the subject. What the commanding state of England might be in political discussions in Europe, he could not state: But. what the "commanding situation" of the country was, in point of revenue, he could very distinctly show the House from the accounts on the table. The maintenance of the public credit, by securing the payment of the public dividends, was strongly recommended by his majesty; but if the House examined the accounts they would find that the Consolidated Fund was above nine millions in arrear; and therefore that if the Bank of England refused to make advances to government the public creditor could not be paid. [Hear, hear.] And here he must observe, that every hon. member, on whichever side of the House he sat, must lament to see the complex state of the public accounts. It was however, a curious, and at the same time a correct statement, that in a country

placed in such a "commanding situation" and under the guidance of such "able ministers" the people could not, amidst the intricacy and involution of the public accounts, distinguish the real situation of the finances with accuracy; while, in France or in America, every thing was distinct, and placed under the simple head of debtor and creditor, with a balance for or against the public. He was extremely anxious to call the attention of the House to a subject of vital importance, as connected with the revenue; a subject which, if rightly understood, would enable his majesty's ministers to make much greater reductions of expence than they had hitherto been able to effect. He had taken the trouble to make out three Statements with reference to the national income and expenditure from which he was about to quote; and in order to enable the noble marquis and the right hon. gentlemen opposite to follow him, he would hand over to them copies of that statement [a laugh]. He regretted that he was not able to give a copy to every hon. member present. [Here Mr. Hume handed two copies of a printed statement* of figures

No. I.—Mr. Hume's Statement of the Actual Expenditure of the United Kingdom, for the Four Years ending the 5th of Jan. 1821, as taken from the Annual Finance Accounts laid before Parliament.

	Heads of Expenditure.	Year ending Jan. 5th. 1818.	Year ending Jan. 5th. 1819.	Year ending Jan. 5th. 1820.	Year ending Jan. 5th. 1821.
I.	Interest on the Permanent Debt of the United Kingdom	£. 29,166,085	£. 28,873,638	£. 29,737,639	£. 29,126,978
	Charges of Management	284,589	277,699	274,393	276,419
	For Reduction of the National Debt	14,657,559	15,497,402	16,455,967	17,667,536
		44,108,233	44,648,739	46,167,999	47,070,928
II.	Interest on Exchequer, and Irish Treasury Bills	1,815,927	2,200,414	779,992	1,849,220
	Total on account of Funded and Unfunded Debt	45,924,160	46,849,153	47,247 991	48,920,148
III.	Civil List of England	1,028,000	1,028,000	983,000	857,780
	——— of Ireland	163,169	208,167	198,056	204,231
VI.	Civil government of Scotland	130,646	129,627	129,988	132,081
	Total of Civil Lists in the United Kingdom	1,321,815	1,365,794	1,311,044	1,194,092
IV.	Courts of Justice (England)	64,542	67,967	63,157	65,138
	Mint	15,000	15,000	15,000	13,800
	Royal Family and other Pensions	447,638	457,678	472,234	327,066
	Salaries and Allowances	62,920	60,158	58,755	56,948
	Bounties	3,841	29,676	6,541	2,849
	Miscellaneous	133,270	135,135	372,833	224,897
	Total other Charges on the Consolidated Fund	727,211	765,614	988 520	690,698
V.	Permanent Charges in Ireland	385,282	374,297	369,090	381,504
VII.	Bounties to Fisheries, Manufactures, &c.	330,046	387,111	513,933	359,213
	Pensions on Hereditary Revenue { Excise	14,000	14,000	14,000	14,000
	Pensions on Hereditary Revenue { PostOffice	13,700	13,700	13,700	13,700
	Militia and Deserters' Warrants	93,658	68,660	47,534	51,426
	Payments out of the Gross Revenue	451,404	483,471	389,167	138,339
VIII.	Navy Wages, &c.	2,524,000	2,424,800	2,281,000	3,454,000
	General Services	2,793,586	2,696,798	2,949,728	1,801,086
	Victualling Department	1,155,476	1,400,116	1,164,824	1,152,713
	Total Navy	6,473,062	6,521,714	6,395,552	6,387,799
IX.	Ordnance	1,435,401	1,407,807	1,538,209	1,401,585
	Army Ordinary Services	7,014,494	7,255,646	7,719,924	7,941,513
	Army Extraordinary Services	2,600,370	1,261,398	1,730,727	984,911
	Total Army and Ordnance	11,050,265	9,924,851	10,988,860	10,328,009

to the Treasury Bench, which occasioned considerable merriment in the House]. It appeared—and he was merely quoting from those tables which had been extracted from the public annual Finance Accounts laid before parliament—that the total expenditure (exclusive of the Sinking Fund) was, for the year 1817, 58,544,049*l.*; for the year 1818, 57,872,428*l.*; for the year 1819, 57,392,544*l.*; and for the year 1820, 57,476,755*l.*; and that the total expenditure, including the Sinking Fund, was, for the year 1817, 73,062,340*l.*; for the year 1818, 73,225,194*l.*; for the year 1819, 73,698,135*l.*; and for the year 1820, 74,987,348*l.* It appeared, therefore whilst the Income was stationary, or had rather decreased since 1817, that the total expenditure had gone on gradually increasing. Was there any justification for such an increase? By no means. Had the gross receipt of the revenue increased? No; for although, in 1818 the right hon. gentleman imposed on the country three millions of additional taxation, yet, although the revenue in England had in consequence increased, the revenue in Ireland had proportionably decreased. So that it appeared that the people of England were additionally taxed to keep down the people of Ireland, where the revenue was decreasing by the misrule and oppression that was carrying on there. He pledged himself to prove to any man who was acquainted with the first four rules of arithmetic, that the right hon. the Chancellor of the Exchequer, had, by his management, lost 15 millions to the country since he had taken the administration of the Treasury. Such, at least, was the amount which appeared to have been lost, as far as can be made out from the public accounts. This was no slight charge; and he therefore begged the attention of the House to the statement which he was about to make.* [*See Statement, No. II.*]

It appeared from the annual Finance Accounts, that the total income of Great Britain and Ireland (exclusive of loans) for the four years, 1817, 1818, 1819 and 1820, was 235,768,462*l.*; and that the total expenditure for the same period, (exclusive of Sinking Fund) was 231,285,776*l.* exhibiting a total nett surplus of revenue of the United Kingdom in those four years of 4,482,686*l.* Since making out that statement, he (Mr. H.) had found that the sum of 316,993*l.* paid for Quarantine packet expenses ought to have been deducted from that amount and the *nett surplus* of revenue over expenditure (loans

		1818.	1819.	1820.	1821.
X.	Loans, Remittances, Advances, &c. to other Countries	33,273	206		1,230
XI.	Issues from appropriated Fonds for Local Purposes	42,585	60,079	53,101	49,129
XII.	Miscellaneous Services at Home	2,301,699	1,722,956	1,595,207	2,324,653
	Miscellaneous Services Abroad	164,784	897,935	260,741	292,048
	TOTAL Miscellaneous	2,466,483	2,620,891	1,855,948	2,616,701
	Expenditure (less Charges of Management)	68,875,543	68,966,073	69,599,276	71,007,649
	Deduct Sinking Fund of Loan to E.-I. Company [repaid by them	165,039	144,636	150,376	156,907
	Expenditure in the Year	68,710,503	68,821,437	69,448,899	70,850,742
	Charges of Management, and Collection of the Revenue	4,351,837	4,403,757	4,249,236	4,136,642
	TOTAL Expenditure in the Year	73,062,340	73,225,194	73,698,135	74,987,384
		As follows:			
	For Interest on the Funded and Unfunded Debt, and Charges of Management	31,266,601	31,351,751	30,792,025	31,252,612
	Expenses of the Civil List, Military Establishments, Civil Government, and Expenses of Collection	27,277,448	26,520,677	26,600,519	26,224,143
	Amount of Expenditure, exclusive of the Sinking Fund	58,544,049	57,882,428	57,392,544	57,476,755
	Sinking Fund	14,518,291	15,352,766	16,305,591	17,510,629
	Amount of Expenditure, including the Sinking Fund	73,062,340	73,225,194	73,698,135	74,987.384

and Sinking Fund excluded) would only have been 4,171,693*l.* He would, however, for the present, take the larger sum as the surplus. Had that four millions and a

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*No. II.—Statement of the Actual Revenue of the United Kingdom of Great Britain and Ireland (Drawbacks, and Bounties of the Nature of Drawbacks, excluded) for the Years 1817 to 1820, both inclusive, ending 5th of January, 1821; distinguishing the several Heads of Income, and Great Britain from Ireland in each Year.

HEADS OF INCOME.	1817 £	s.	d.	1818 £.	s.	d.	1819 £.	s.	d.	1820 £.	s.	d.
Customs	12,206,870	3	5	12,265,342	16	5½	11,280,062	6	9¾	10,547,579	2	4¼
Excise	21,553,311	13	2¾	24,712,148	17	0	24,860,345	1	8	28,055,314	2	8¼
Stamps	6,720,747	3	5	6,775,985	2	1	6,581,856	8	11¼	6,538,895	17	11½
Land and Assessed Taxes	8,074,258	14	0¼	8,271,990	1	1	8,279,930	3	11½	8,355,321	18	10¾
Post Office	2,129,995	12	4½	2,185,654	17	2	2,211,678	13	8½	2,122,928	7	6½
Salaries and Pensions	31,864	0	6	34,628	19	5	30,522	11	8	30,811	8	2
Hackney Coaches and Posting	54,785	18	10¾	54,468	4	2¾	56,093	9	10¾	56,988	8	10
Hereditary Revenues	159,630	10	5¼	144,579	0	6	148,192	4	6¼	132,967	7	4½
Total Ordinary Revenues	50,931,463	16	4½	54,445,597	17	10¼	53,448,681	1	2½	55,840,806	13	10¼
Property Tax Arrears	2,568,654	0	3½	658,337	14	0	183,134	6	8	57,043	5	6½
Lottery	189,958	8	4¼	211,225	0	0	679,150	0	0	175,154	10	2
Unclaimed Dividends	236,288	3	3	332,948	6	7	237,512	16	11	283,810	7	11
Imprests, &c.	469,029	3	7	328,930	11	2	334,392	19	1¼	343,902	16	5½
Total Extraordinary Revenues	3,463,929	15	5¾	1,531,441	11	9	1,434,190	2	8¼	859,911	0	0¼
Total of Great Britain	54,395,393	11	10¼	55,977,039	9	7¼	54,882,871	3	10¾	56,700,717	13	11
Total of Ireland	5,822,550	2	0¾	5,956,606	8	5½	5,576,591	19	0	4,933,351	17	7¾
Total of United Kingdom exclusive of Loans	60,217,943	13	11	61,933,645	18	2½	60,459,463	2	10¾	61,634,069	11	6¾
Deduct Balances	2,567,354	8	2½	2,265,704	13	4½	1,779,211	10	0	1,864,389	6	7¾
Total Actual Revenue of United Kingdom	57,650,589	5	8½	59,667,941	4	10	58,680,251	12	10¾	59,769,680	4	11
Total Expenditure, exclusive of the Sinking Fund	58,544,049	0	0	57,872,428	0	0	57,392,544	0	0	57,476,755	0	0

Total Income, exclusive of Loans, for the 4 Years	£.235,768,462
Total Expenditure, exclusive of Sinking Fund, in the 4 Years	231,285,776
Total Net Surplus of Revenue of the United Kingdom in the 4 Years	£.4,482,686

If there had been no Sinking Fund, no Loans would have been required, as the Revenue of the 4 Years, 1817 to 1820 (to the 5th of January, 1821) both inclusive, was 4,482,686*l.* more than the Expenditure, which ought to have effected a Reduction (the 3 per Cents being on an Average at 70*l.* per 100*l.*) of 192 117*l.* of Annual Dividend; and, as 260,812*l.* of Annual Charge for Annuities and Land-tax redeemed has been diminished, the Reduction of the Annual Charge of the Funded Debt ought to have been to the Amount of 452,929*l.* in 1821,—whereas the Charge has been increased instead of decreased.

No. III.—An Account of Interest paid in each Year to the Public for the Funded and Unfunded Debt of the United Kingdom, and for the Charge of Management at the Bank of England, for the Four Years ending the 5th Jan. 1821 (exclusive of the Sinking Fund), as charged in the Annual Finance Accounts.

	1817. £.	1818. £.	1819. £.	1820. £.
For Interest paid on Funded Debt	29,166,085	28,873,638	29,737,640	29,126,973
Charges of Management	284,589	277,699	274,393	276,419
Amount of Interest and Charges	29,450,674	29,151,337	30,012,033	29,403,392
Interest on Exchequer and Irish Treasury Bills	1,815,927	2,200,414	779,992	1,849,220
Total Charge for the Funded and Unfunded Debt	31,266,601	31,351,751	30,792,025	31,252,612

Average of 1817, 1818, and 1819............£.31,136,792.

half been properly husbanded, the debt would have been reduced to that amount. The 3 per cents. having been at an average about 70, the surplus of 4,482,686*l.* ought to have effected a reduction of 192, 117*l.* of annual dividend; and as 260,812*l.** of annual charge for long annuities and land tax redeemed had been reduced, the reduction of the annual charge of the funded debt ought to have been to the amount of 452,929*l.* in 1821; whereas the charge had been increased instead of decreased. By the management of the right hon. gentleman, who borrowed money at, we will say, 60 per cent. to give to the commissioners for the reduction of the national debt, who afterwards bought at 70 or 80 per cent. the whole of this four millions and odd had been lost to the country. Such was the consequence of the complicated and circuitous process attendant on the Sinking Fund; a consequence which would have been avoided had the simple surplus of the revenue been directly applied to the liquidation of the debt. By the account of interest paid in each year to the public for the funded and unfunded debt of the United Kingdom, and for the charge of management at the Bank of England for the four years ending the fifth January, 1821 (exclusive of the Sinking Fund), it appeared that the total charge for the year 1817, was 31,266,601*l.*; for the year 1818, 31,351,751*l.*; for the year 1819, 30,792,025*l.*; and for the year 1820, 31,252,612*l.* Taking the average of the three years 1817, 1818, and 1819, viz. 31, 136,792*l.*, it appeared that last year the public creditor received 15,820*l.* more than the amount of that average. How different would the case have been if we had not had the circuitous operation of the Sinking Fund. By Mr. Haworth's account from the Exchequer Office (and here he begged to observe that the accounts from the Exchequer were wholly free from error, as far as he had been able to observe, while those from the Treasury could, in no single instance, be accurately balanced), it appeared that the charge for the funded debt for the year ending the fifth of January, 1822, would be 30,180, 213*l.*; and that, taking by estimate the interest on the Exchequer bills (34,728, 691*l.*) stated as outstanding on the fifth of January, 1821, in the same proportion as 1,849,219*l.* was charged in 1820, for the interest on 42,694,882*l.* of outstanding bills, on the fifth of January, 1820, the amount of interest for the year ended fifth January, 1822, would be 1,300,000*l.*; making a total charge for funded and unfunded debt of 31,480,213*l.* instead of (after deducting the 452,929*l.* of dividends, redeemed and expired) only 30,812,672*l.* as it ought to have been, if there had been no Sinking Fund. He was perfectly convinced, however, that it would be found, that a much larger amount of Exchequer bills was out than had been stated to the House by the right hon. the Chancellor of the Exchequer, and that a perpetual charge

And as it appears by the Account from the Exchequer Office, that the Charge for the Funded Debt, for the Year ending 5th of January, 1822, will be	£.30,180,213
And taking, by Estimate, the Interest on the Exchequer Bills (34,728,691*l.*) stated as outstanding on the 5th of January, 1821, in the same proportion as 1,849,219*l.* was charged in 1820 for the Interest on 42,694,882*l.* of outstanding Bills on the 5th of January, 1820, the Amount of Interest for the Year ended 5th of January, 1822, will be	1,300,000
Making a Total Charge for Funded and Unfunded Debt of	£.31,480,213

instead of (after deducting the 453,929*l.* of Dividends redeemed and expired), being only 30,812,672*l.* as it ought to have been, if there had been no Sinking Fund;—consequently, a very great Loss to the Country, and going on at the same Rate by the present absurd System of the Sinking Fund.

* STATEMENT of the ITEMS of REDUCTION in the Annual Charge on the National Debt, independent of the Sinking Fund, in the Four Years 1817 to 1820, both inclusive—viz.

In 1817. By Annuities expired	1,229	10	9½			
Dividend on Loan of 1798 paid off, the Money for which is charged in the Miscellaneous Expenditure	2,091	9	5			
Dividend on Capital cancelled by redemption of Land Tax..........	2,947	3	4			
				6,268	3	6½
1818. By Land Tax				3,385	15	11½
1819. Imperial Annuities expired	243,157	15	6			
By Land Tax	4,026	14	11½			
				247,184	10	5
1820. By Do. Do.	2,696	9	7			
Annuities expired	1,276	14	10			
				3,973	4	5
Total in the 4 Years (exclusive of what Annuities may have expired out of those created by act of 48 Geo. III.)				260,811	14	4

of a much larger amount would be thereby incurred. It was well known, that the right hon. gentleman had used every means in his power to force up the public funds, although it was his interest, with a surplus revenue, to have them low for his purchases, speculations in this way had been ruinous. He called on ministers, therefore, if they had in contemplation at present the continuance of that ruinous Sinking fund, to abstain from thus throwing away the public money. He called upon them also to take such measures as should prevent any other persons from speculating in the public funds with public money. He was sorry not to see a right hon. gentleman, a commissioner of Woods and Forests, in his place, as it had been reported that a considerable portion of the proceeds of his department had been occasionally vested in the funds to forward the favourite object, "a rise in the funds," of the right hon. the Chancellor of the Exchequer. The right hon. gentleman and the noble marquis ought to recollect that it was Mr. Pitt's practice to keep every human being in ignorance of his financial intentions, until the moment of their execution; whereas the intentions of the right hon. gentleman opposite were commonly known for three or four days to individuals who might make use of that knowledge for their own private advantage.

Under all the circumstances, he put it to the House, whether it would not have been wise to listen to the hon. baronet's recommendation to take time to consider the address, to pause before they congratulated his majesty on the condition of the country. The existing system of finance was temporising, and must be ruinous, and as far as the last four years went, his statements proved it. No man was more desirous than himself, that we should preserve our high station by the maintenance of our public credit; and he trusted, that whatever sacrifices it would be necessary to make would be made by all classes equally; and that there would be no such unjust and unprincipled proposition, as to injure the public creditor for the advantage of any other class. If the House of Commons were under the legitimate control of the people, he would cheerfully give up half his fortune to the exigencies of the state; but, under the existing abuses in the management of the revenue and expenditure of the country he would not consent to give up one shilling of his capital to free the country from debt; he had no confidence in the economy or wisdom of the present ministers, and he believed that the confidence of the people was also extinguished. He pledged himself to prove that one hundred millions would have been saved to the country had the Sinking Fund never existed. The right hon. gentleman might smile; but he was ready to show that the system of the Sinking Fund, from its very establishment by Mr. Pitt, was erroneous. He implored his majesty's ministers, therefore, to stop short in this absurd career: he implored them to abandon the present complicated and ruinous system, and to return to a plain statement of Debtor and Creditor—to a simple statement of the receipt, the expenditure, and the surplus of the revenue—[hear, hear!]. This would do more to conciliate the public feeling, to give confidence to the people, as well as to establish public credit, than any plan that could by possibility be devised.

The next subject on which the hon. gentleman had touched was the reduction of expenditure. On that subject a pamphlet had recently been published, called "the State of the Nation," which, from beginning to end, did not contain a single accurate statement. Never had there been a more disgraceful attempt to impose on the public; and he begged to guard gentlemen against being led astray by it. Among the misstatements in that pamphlet was the allegation, that in the navy, army, ordnance, and miscellaneous services, there had been, in the last four years, a reduction effected of ten millions. On the subject of the increase of revenue and the reduction of expenditure, he entreated the attention of the House to the similar passages which had been introduced in the various speeches, which, in successive years, had been made from the throne. Taking those speeches as the productions of ministers, it would shew how valueless they were. In the speech of that day was the following passage:—"It is very gratifying to me to be able to inform you, that during the last year the revenue has exceeded that of the year preceding, and appears to be in a course of progressive improvement." In the speech of 1818, the same assertion was made in the following words:—"His royal highness is most happy in being able to acquaint you, that since you were last assembled in parliament, the revenue has been in a state of progressive improvement in its most important branches." In the speech of that day his

majesty said, "I have directed the estimates of the current year to be laid before you. They have been framed with every attention to economy which the circumstances of the country will permit." In 1820, the words were: "The estimates for the present year will be laid before you. They have been framed upon the principles of strict economy." So far, however, from the expenditure being diminished, as might have been expected from that declaration, it had increased. In the speech of the present day his majesty said, "It will be satisfactory to you to learn that I have been able to make a large reduction in our annual expenditure, particularly in our naval and military establishments." In the speech made on opening the last session, his majesty was made to say—"It is a satisfaction to me to have been enabled to make some reduction in our military establishments." Such were the expectations invariably held out by his majesty's ministers, and as invariably disappointed. How long was the country to be thus trifled with and insulted? If the House of Commons were composed of five hundred tradesmen taken at hazard from those of the metropolis instead of as many noblemen and gentlemen, they would scout any further attempt to mislead and misrepresent. [Laughter from the Treasury benches] Let not gentlemen hold the honest tradesmen and artisans of the country cheap. They were very able arithmeticians; and woe to that man of them who did not keep his accounts more correctly than the right hon. gentleman opposite kept the accounts of the country. Unless he did improve and simplify the system of keeping the public accounts, he must, in a few years, be involved in inextricable ruin. He called upon the House, therefore, no longer to be duped by this annual hypocrisy, and worse than hypocrisy, on the part of his majesty's ministers. If they did, they would justly subject themselves to a continuance of that opprobrium with which they had been loaded. But, if they meant to do their duty, let them all—let the gentlemen of the landed interest, unless they intended ever after to hold their tongues, fulfil their pledges to their constituents, and unite in giving, by the adoption of his motion, a distinct pledge to reduce the taxation of the country. In successive years had his majesty's ministers talked, in the Speech from the throne, of the flourishing condition of the country: from year to year had the public been deluded by such representations; from year to year had the land-owners been thus lured onwards to their own destruction. They had good-naturedly listened to the assurances of 1816, 1817, 1818, 1819, and 1820; they had taken words for acts; and what was the result?—That the statements of his majesty's ministers not having been in any instance realized, their difficulties had increased to a degree, which, if not checked by some means or other, must speedily terminate in their utter ruin.

The existing distress of the country he (Mr. H.) attributed to a complication of causes, the chief of which was, that excessive taxation which deprived all classes of a much larger proportion of his income, than had ever been taken from them before, in the history of the country. Reduced in value, as all property was throughout the country, was it possible that the same scale of taxation and of expenditure could be maintained? Was it possible that parliament could continue to repose confidence in ministers, by whom the debt of the country and the difficulties of the land-owners had been so enormously increased, by whom the people had been so invariably deluded? With respect to the reductions which had been effected, if they had deserved to be particularised, did any man believe that the noble marquis or the right hon. gentleman would not have been eager to mention them? What was their nature and character? Some hundred and eighty of the inferior clerks of office, without any regard to their distress and sufferings, had been displaced, while other individuals were permitted to hold situations of large emolument that might well be dispensed with. Were any additional circumstance wanting to show the inefficiency of his majesty's present administration, it might be found in the paltry proposition of assistance to the landed interest, alluded to yesterday by the first lord of the Treasury, and the weak, childish, womanish questions which were, on that occasion, put by that lord to the directors of the Bank of England. Nothing could more completely exhibit the ignorance of those who were unhappily entrusted with the management of the affairs of this great nation, than such an offer of pecuniary aid. It was not money, as he had already stated, that was wanted; it was that sound and substantial credit on which money would be advanced. He believed that many members of that House did not

know the amount of the expenditure of the country in the year 1792 and this year; indeed it was not an easy matter to find it out. He would tell them that in the year 1792, that golden number so much scouted by ministers last year, because proposed by him—so much abused by the secretary at war—yet after the House separated those same ministers were considerate enough to take the folly off his head, and place it on their own [hear, hear!]. In 1792, the civil list, civil and military expence—indeed every expence, except the interest of the public debt, then about ten millions, adding the expences of Ireland, and the charges for management of the revenue, amounted to about seven millions. But what had been the amount for the last four years? The charges of management and collection of the revenue alone amounted to 4,351,837*l*. The expences of the civil list, including military establishments, civil government, and the expences of collection for the year 1818, amounted to 27,277,448*l*; for the year 1819, 26,520,677*l*.; for the year 1820, 26,600,519*l*.; for the year 1821, 26,224,143*l*. So that now having peace at home, and having the Holy Alliance abroad, to take care of the peace of the world, we have an expence of twenty-seven millions, whilst in the year 1792 we had but an expenditure of seven millions [hear, hear!]. They heard much about economy, and economy was practised in dismissing from employment minor clerks who had no other means of support—economy was exercised in that way, but it did not reach the civil list. For the last year, the civil list alone amounted to 1,194,092*l*. In 1792, the civil list, then much less, was burthened with pensions for members of the royal family; but now, though it is free from those pensions, it exceeded the amount of 1792. He supposed that ministers rested perfectly secure in their places, because by recent additions to their body they had acquired a great accession of strength, [hear hear!] but what was that strength?—It was like the accession of a number of hungry individuals breaking into the house of an already distressed family and lending their assistance to consume the little that remained [hear!]. Although ministers rested so firmly on the Holy Alliance for the maintenance of peace, yet they could not be prevailed on to diminish the amount of foreign expenditure. There was, for instance, 6,000*l*. a year for a new ambassador to the Swiss Cantons, where nothing was to be done. Mr. Stratford Canning received that salary formerly, but a charge d'affaires had done all the business there for one fourth of that amount, until now that the new ambassador was appointed: was that economy? Why was it permitted? Why was a near relative of a right hon. gentleman who had lately joined the ranks of ministers sent out there with a salary of 3,900*l*. a year, with 1,500*l*. for an outfit, and of course a large sum for travelling expences? The appointment was gazetted; there was therefore no reason for concealing the gentleman—he meant Mr. Wynn, a brother to the right hon. the president of the board of Controul. He considered it a most profuse waste of public money.

He would now make an observation or two on the Ordnance department [a laugh]. He had recently taken a view of that department; he thought it right to see, what certainly he could not believe without seeing; he saw storekeepers and others living in palaces, the like of which men of large fortunes could not afford; there was about them every mark of expence and extravagance. From the Ordnance a number of junior clerks had been dismissed—had been thrown upon the world without a shilling. There had been in one branch twelve young men dismissed in one batch; and why he would tell the House—those twelve individuals were dismissed in order to preserve the salary and establishment of 3 or 4,000*l*. a year to one sir John Webb, director-general of the Ordnance medical department. In the navy also the utmost disregard to expence existed—as an example he would state the fact, that since the peace there were not less than six hundred promotions, whilst in the marines there were but three; yet he believed that no one would say that the officers of the marines were not as meritorious, as worthy of promotion, as those of the navy;—but they had not an influence with ministers—they had not fathers, brothers and uncles, members of parliament [hear, hear!]. In the last year alone there were in the navy no less than 241 new commissions. The expence to the country under that head, for the half-pay of those officers alone was far greater than any saving which could be effected by the dismissal of junior clerks. It was intolerable to think of the extent of undue influence in that House. He

lamented it much. He could have wished to see the nobility of England raised above such low pursuits; there was a time when it was considered a reproach to a nobleman or any of his family to be called a pensioner of the public: but now it appeared to be the most anxious desire of many of the nobility to get as much as possible from the public. He could not but consider it in the last degree disgraceful to the nobility, to be pensioners upon the country—to see them, blessed as they were with large possessions, adding to the burthens of a distressed and harassed people [hear, hear!]. To show the situation of the nobility—the ignoble views which some of them were capable of taking—he would take the liberty of stating to the House the substance of the last will of a certain noble lord—he hoped to have a copy of it soon in his possession. That nobleman by his will gave a sum of 2, or 500*l.* a year to certain members of his family, until they should be better provided for by government in some other manner [hear, hear!]. They had been so provided for according to that precious testament; the last member of the family, in the course of the last year, was made a commissioner of the Customs [hear, hear!]. It was such things as these, that led to the distresses of the people—to the debasement of noble feeling, and to the loss of public confidence.

The retrenchment which had been made by the ministers this year scarcely deserved that name. Labourers, carpenters, porters, and such persons, were put out of bread; but did they learn that any of the junior lords of the admiralty had been dismissed? He had heard of a recent appointment which was perfectly characteristic of the ideas of ministers with respect to retrenchment. A gallant general, and a member of that House, who has already three places and two pensions, had been lately promoted to the place of superintendant of gas. In the navy, the army, in every civil department, the same profusion appeared in all the higher offices in the household. Mr. so-and-so was a Cook, and Mr. such-a-one clerk of the Kitchen, none, of them did any duty, although all received large salaries; and this ministers called supporting the splendor of royalty. He would tell them, however, that such degrading useless practices contributed as little to the splendour of the throne, as clothing the guards in the dress of Merry Andrews, instead of the plain, substantial, manly clothing of Englishmen and English soldiers [hear!]—that love of tinsel—that chidish glittering gewgaw was only worthy of France before the French revolution, was altogether unworthy of England in the 19th century. He might be allowed to observe, that the expence of the cuirasses prepared lately at Enfield for the horse-guards, although an absurd d[illegible] for England in time of peace—profound peace—amounted to a vast deal more than the same articles would have cost if manufactured in Birmingham or in Sheffield. There were other items to which he would shortly allude. The hon. gentleman next alluded to the conduct of the noble marquis (Londonderry), in carrying through that House a bill (the Non-inlistment bill) which was nothing more nor less than an attempt to crush the rising liberties of South America, and which at the same time kept up the expence of our half-pay list by the threat of dismissing every officer who should enter the service in the cause of freedom. But the cause of freedom in that country had triumphed; as would, he hoped, the cause of the Greeks, notwithstanding the efforts of ministers to depress it—notwithstanding that course of policy which was so well calculated to make the character of England odious and despicable. Again in the whole of our colonial expenditure how did the economy of ministers appear? They dismissed a number of poor clerks who received only 100*l.* or 200*l.* a year for constant work, but they preserved in their places those who took thousands and tens of thousands out of the pockets of the people and did little for them [hear, hear!]. They preserved all the expense and abuses in the Ionian islands—they gave sir Thomas Maritland 10,000*l.* a year for doing what was injurious and degrading to the country—for disarming and enslaving the people. It was thus that the parental protection of the English government manifested itself; the people were thrown into prisons, they were hung up at the tops of their hills—the first of their nobility—of their clergy—of their gentry were transported from their native soil without inquiry, and without trial. The same prodigality was practised at the Cape of Good Hope. A noble lord, as governor of the place, had his 10,000*l.* a year, with country houses and large establishments—there was staff and useless appointments of great expence at Somers-town and at Cape-town. Mi-

nisters would say that this expence was necessary for the support of the colonies, but he would call it a wanton profusion—if the colonies were fairly treated—if they had the protection of British law instead of being a burthen upon this country, they would be able to support themselves. He was also surprised that gentlemen who were above all others interested, the proprietors of West India property, did not absolutely compel ministers to alter their system—a system, surely, more opposed to the interest of the colonies and to common sense was never upheld; to such an extent were jobs, carried that noble lords, who never in their lives saw those places—nay, even boys at school received, some 3,000*l.* some 5,000*l* a year for their services [hear, hear!]. With respect to Scotland he hoped the expences of that country would be immediately taken into consideration, with a view to reduction, The expense of the civil government of Scotland—of the law courts—of the salaries of officers, deserved the strictest attention of ministers. The country loudly called for a reduction in the public expenditure, the necessity of the times required it—every man ought to be removed from place, unless those who had duties to perform; no one should be allowed to burthen the country without contributing to its service. It was with these views that he had prepared the amendment which he was about to submit to the House. He trusted, that it would meet with the support of those who went there to benefit their country; he did not hope for much from those who went there to benefit them selves [hear, hear, and cries of order!]

The *Speaker* said, that the hon. member must on reflection, feel that such language was disorderly. It could not without a breach of order, be imputed to honourable members, that they entertained views contrary to the just discharge of their public duties.

Mr. *Hume* said, he should be sorry to say any thing disorderly. As it was out of order to declare in that House that gentlemen came there to benefit not their country, but themselves, he would not say so; but he could not be prevented from thinking so.

The *Speaker* said, that he always felt it a painful duty to interrupt members, but it was his first duty to preserve order in that House. The orders of the House were made, not for the advantage of one party or the other, but for public purposes, and to preserve the general freedom of debate. He hoped the hon. member would believe, that it was far from his wish to interrupt him—that his sole wish, indeed, was, to preserve the dignity of the House and the regularity of debate.

Mr. *Hume* said, he should be happy at all times to bow to the decision of the Chair. As there were not only objections to his expressing the opinions which he held, but also to his entertaining them, he would no longer trespass on the attention of the House. The hon. gentleman concluded by moving the following amendment;

"That while we return his Majesty our most grateful acknowledgments for the various reductions which have been made in the naval and military establishments during the last year, by which some diminution of expense may be effected, yet we should ill discharge the duty we owe to his Majesty, if we did not direct his most serious attention to the present condition of his faithful people:

"That we feel it our duty to represent to his Majesty, that the distresses, proved to exist, before a committee of this House, instituted for the especial purpose in the last session of parliament, have considerably increased; and that the owners and occupiers of land throughout a great part of the kingdom, and with them the tradesmen and artizans usually dependent on them for employment, are labouring under unexampled difficulties:

"That we cannot but express most respectfully to his Majesty our opinion, that an excessive taxation, disproportionate to the reduced value of all property, is a principal cause of those distresses; and humbly to intreat that he will be graciously pleased immediately to direct such reductions in every branch of our expenditure, from the highest to the lowest department, as shall enable us forthwith to relieve his Majesty's faithful people from a large portion of that burthen of taxation, which, in their present impoverished condition, presses so heavily upon all classes."

The *Chancellor of the Exchequer* said, he was sure that, before he adverted to the other parts of the hon. member's speech, the House would allow him to remark upon that part of it in which a charge was made against him, of allowing secrets of finance to be known in certain

quarters, before they were regularly made public in the ordinary course of business. That charge he begged, in the most distinct and positive manner to deny. It was not the first occasion on which he had had to make a similar denial to charges brought by the hon. member, who seemed to lend a credulous ear to such malevolent aspersions. If he could be guilty of such a practice as that imputed to him, he should be no longer worthy to hold the important situation which he filled; but against such unfounded insinuations, he should place the reputation of his whole life—a reputation which, he hoped, had never yet been sullied. As to certain financial statements, it was necessary, by the regulations established in 1819, that they should be made known; and he should be ready to produce them in a few days. Whatever was the nature of the proposition which had been said to have passed from the first lord of the Treasury and himself, and upon this he would observe, that great misrepresentation had gone abroad—he was certain that the best relief which could be afforded to the distresses complained of would be, an extension of the currency of the country. However, he would not then enter into the discussion of that question; for he considered it a bad practice to go into the discussion of any important question by halves, where no result could be obtained. Still less was he inclined, on the present occasion, to follow the hon. member through the immense mass of figures which he had opened to the House. It was not, he considered, consistent with the practice of parliament, to go into the consideration of financial statements, until the documents connected with them were in the hands of members. If the hon. member had chosen that course, and had delayed his motion until time was allowed for the examination of its details, then he would have been prepared to follow him, and to point where he considered they might be wrong and where right. He was the less willing to enter into the subjects upon which the hon. member had touched, as he considered that most of them were not at all directly connected with the resolution with which he concluded. The hon. gentleman's panacea for the evils of the country was, a reduction of expenditure; but, on his own showing, if for the last four years the amount of the revenue exceeded the expenditure only by four millions, would it be wise, would it be politic, to diminish that small surplus which might be so necessary to support public credit—to meet accidental events—or unexpected emergencies? He could not help thinking that the hon. gentleman had discovered more zeal than fairness. It would have been as well if the hon. gentleman, instead of condemning *en masse* all the measures of government—if, instead of accusing them of profusion—if, instead of asserting that government were opposed to all reduction, he had waited to see what reduction government intended to propose. It was the intention of ministers in a few days to bring the state of the country under the consideration of parliament, when their measures might be discussed successively and in detail. On that discussion it would appear what government had done; and, what they had omitted to do. Then would it be open for the hon. gentleman to make his objections, and for the members of the government to meet those objections by facts, by reason, and argument; but the hon. gentleman had that night, without waiting for information, assumed the misconduct of ministers, and argued on that assumption. The hon. gentleman admitted that reductions had been made, but he stated that junior clerks had been dismissed and left unprovided. The hon. gentleman could not feel more for those persons than ministers. They felt acutely the painful duty they had to perform. When the hon. gentleman charged ministers, as if it were matter of reproach, with having dismissed junior clerks, he would ask, what were they to do? How much more justly would they have been exposed to reproach, had they dismissed men who had been in office for years, whose lives had been worn out in the service of the country; and who, from age and habit, were incapable of turning themselves to any other occupation? He begged of the House to suspend their opinion on these subjects until they were put in possession of the whole of what had been done. Another part of the hon. member's speech he would just advert to; ministers had been accused of making reductions only in the income of those who held situations of comparatively small value. To this he would only say for the present, that the proposed reductions would extend to the highest as well as the lowest official situations. In the variety of the hon. member's topics, he had introduced the mention of those

hon. gentlemen who had recently joined his majesty's government. Those hon. members were not present; and in their absence, it would have been better not to say a word about them. He would, however, observe, that he anticipated an important benefit to the country from their services; and it appeared to him, from the tone of the hon. member, that his anxiety on this subject was excited, not so much by the union of those hon. gentlemen with his majesty's government, as by the loss of their support on the opposite side. As to the story of members of parliament holding menial situations in his majesty's household, he would just observe, that however good a subject for joke it might have been heretofore, it was at present wholly without foundation; and he would defy the hon. member to bring a proof in support of the statement. It was rather curious to hear the hon. member hash up in a speech on the first day of the session, all the tale-bearing accounts which had reached him during the recess. They would afford food enough for the amusement of the House in their separate discussion, in the course of the session, without mixing them all up on the first day. To their separate introduction, which, no doubt, would be made in due co urse of time, he would reserve himself, and leave them for the present. The great question which the hon. gentleman had called upon the House to decide was, whether there should be a pledge given for an immediate and sweeping reduction of taxation,—whether this reduction was to be immediate, and by the means which he had proposed, or whether relief could be afforded by those measures by which the honour of the country would be supported. He had no hesitation in saying, that the measure proposed by the hon. member would be not only mischievous, but ruinous in its effects; and, that whatever hopes it might excite, it would not only not relieve, but tend to aggravate the distresses of the suffering classes. He would say in the first place, that the plan of the hon. member would, by involving the destruction of the sinking fund, shake public credit, and destroy all confidence in money transactions; and, instead of being able to procure advances of money at a cheap rate, it would be difficult at even 5 or 6 per cent. to procure any accommodation whatever, a great fall in the stocks would also be a consequence of the measure, and he had no hesitation in saying that the stock of every other country, would be preferred to that of England, and all the evils of which the landholders now complained would be considerably increased. He would add, that if the apprehension which had gone abroad, of touching the sinking fund, had not created great alarm, he would have been able in the present session to propose the reduction of the five per cents; but let parliament act with the firmness which ought to characterize it, and he should be much disappointed if he should not still be able to propose that measure this session. He considered that one of the most efficient means of relieving the landed interest was the facility of borrowing money at a moderate rate of interest; but that facility could not exist, unless the credit of the country was preserved. There was another reason against the proposition of the hon. member; the reduction of taxation would destroy the credit of the country—but would it relieve the people? Relief from taxation on articles of consumption was never immediate: the benefit to be derived by the consumer must necessarily be postponed for a considerable time. As he intended in a few days to bring the subject more fully under the consideration of parliament, he only felt it necessary to add, that he could not agree to support the hon. member's resolution.

Mr. *Calcraft* said, that if the right hon. gentleman was to be considered as the organ of government on financial matters, they had it now distinctly avowed, that there was to be no reduction of taxation. Ministers had at last screwed up their courage to deny that any benefit would result from such a measure; nay, the right hon. gentleman had gone so far as to assert, that the repeal of any tax, though he did not say what, would not only not relieve, but would be an aggravation of the distress of the country. Did the right hon. gentleman mean to tell the House, that the repeal of the tax on malt, on salt, on soap or leather, would not relieve the country from, a very great and almost intolerable pressure? Did he mean to say, that the people were so "ignorantly impatient of taxation," that on the very first day of the session, when they expected their distresses would at least be considered, they were to be told that the repeal of any one of those taxes would not only not relieve, but aggravate their misery? Was there any table in the country, except the table of that House, over which such a doctrine

could be held? He would venture to assert, that if such a doctrine were to be supported at any private table, it would be immediately scouted, and the man who should attempt to maintain it would, before the company quitted, have cause to be ashamed of his opinion. The right hon. gentleman had made it a charge against his hon. friend, that he had introduced so many topics which were afterwards to be discussed separately. Now, such a charge came with an ill grace from any member who intended to take a part in their discussion; for surely it must be an advantage to the opposite side, to know so early that such subjects were to be brought forward on some future day. He thought it was very gallant in his hon. friend to have given thus early a notice of what he intended to do. It was what he himself would not have done; and he very much doubted, if before long the hon. member would not have to regret his courtesy in this respect. The right hon. gentleman had been quite facetious on the present occasion. He had never seen any one make so amusing a speech with so grave a face. The right hon. gentleman had said, that jobs to which his hon. friend had alluded would afford sufficient amusement for the session. However, before the termination of their proceedings, he might have occasion to repent the introduction of such amusement. Did the right hon. gentleman recollect the amusement which the hon. member had afforded him last session, when he introduced the receivers-general to the notice of a committee? That might have been very amusing, though certainly not to the parties so introduced; for it was death to some of them, and would, he believed, be so in its effects to some of their successors. By the exertions of his hon. friend on that occasion, a sum of not less than 70,000*l.* was saved to the country; and he hoped more considerable savings would be made, by a repetition of similar exertions. The saving alone was not to be considered, though that was important; but the great influence of the Crown, which was by so much diminished. He would vote for the amendment which his hon. friend had moved, though not for all the reasons which had been advanced by him (for as yet he was not in possession of all the details upon which they were founded); but because he was anxious that a reduction should be made of that taxation which pressed so heavily on the people—of those burthens, the repeal of which it was now said would not relieve, but aggravate their sufferings. It had been said, that the right hon. gentleman was in the habit of letting slip some of the secrets of his financial arrangements. Now, he himself did not believe that such was the fact; but certainly it was the fact that such an opinion was held in the city. He had no doubt it was unfounded, for he did not know a more honest servant of the public than the right hon. gentleman. He would not press any farther remarks on the question before the House, as other opportunities would represent themselves of going more fully into the subjects by which it was introduced.

The *Chancellor of the Exchequer* disclaimed having said that taxation was not an evil, or that the repeal of taxation was not a benefit. What he had stated was, that the simple repeal of taxes proposed by the hon. member, would be productive of more harm to the country by shaking the public credit, than would be commensurate with the relief which such a course might afford to particular classes.

Mr. *Calcraft* wished it to be understood, that he would never vote for the repeal of a tax, until he was convinced that such repeal would not affect the public credit of the country.

Mr. *Robinson* said, that the calculations and figures brought forward by the hon. member for Aberdeen were so complicated and so various, that it was difficult to pronounce any opinion of their accuracy without previous inquiry. He could not conceive any more unsatisfactory mode of bringing this great question under discussion, than that adopted by the hon. member. It was, he thought, extremely unreasonable, to say the least of it, without waiting to see what had been done by ministers in the way of reduction, to assume that they had done nothing. Let the House examine into facts before they decided. He objected to the proposed amendment, because it went, with one sweeping censure, to condemn a whole system of finance as fallacious. But let the House remember, if that system was wrong, that they had been parties to it. He did not mean to say that the House, upon proper grounds, might not retrace the steps they had taken with respect to any measure. No wish for an appearance of consistency should prevent them from adopting such a course; but, at the same time, he hoped the House would give its most serious and dispassionate considera-

tion, to what he might be permitted to call the most important question ever agitated. He trusted that whatever faults might be found with the conduct of government, whatever means might be proposed for the relief of the distresses complained of (and he would admit that those means were as various and divergent as the grievances themselves), the House would not consent to overturn a system which they had solemnly adopted, and simply upon the ground that the hon. member had produced a variety of statements, most of which bore very remotely upon the important question before them.

Colonel *Davies* rose chiefly to put one or two questions to the chancellor of the exchequer. The first was, whether or not he admitted the financial statements of the hon. member for Aberdeen to be correct; and the second was, whether it was his intention to interfere with the metallic currency of the country? The hon. member then went on to observe upon the extraordinary conduct of ministers, who some time ago told the country, that not a single man could be spared from the immense establishments which they continued in time of peace, and now admitted, by their proposed reductions, the extravagance of which they had hitherto been guilty.

The *Chancellor of the Exchequer* replied, that in the absence of the necessary documents, he would neither admit nor deny the accuracy of the statements made by the hon. member for Aberdeen. As to the other question, he could give a most positive answer. He could assure the House, that government meant to make no alteration in our circulating medium. He felt convinced of the necessity of preserving the standard currency of the country.

Sir *J. Newport* observed, that he was not prepared, in the absence of the fullest information, to go into the consideration of the important question which had been introduced, nor was he ready or willing to condemn at once, what, before, the House had so fully approved. He therefore, though he concurred in the general principle of the amendment, could not agree to those parts of it which went at once to destroy a system upon which they had already solemnly decided. Provided the hon. member consented to an omission of those passages, he would cordially support the amendment. The passages which he would wish to have omitted were these —"And aggravated by a ruinous and temporising system of finance;" and also —"The more alarming as it appears, they do not arise from temporary causes." The omission of those passages would not destroy the general sense of the resolution. He was also induced to rise, in consequence of the peremptory tone assumed by the right hon. gentleman, who now distinctly told the House and the country, that there was to be no relief from taxation. In the present distressed state of the country, that alone would be a sufficient ground for going up to the Throne with an address, praying for an immediate and an effectual reduction of the people's burdens.

Mr. *Hume* said, he had no objection to the proposed alterations. His object was, to pledge the House to a reduction of the burdens of the country.

The Marquis of *Londonderry* said, it was not so much his intention to follow the hon. member for Aberdeen through the various topics to which he had adverted, as to fix the attention of the House upon the true principle on which it ought to come to a vote on the present evening. That principle was shortly this —whether it would be creditable or not to the deliberations of parliament to close so large a question as the hon. member had opened, in the indirect manner that was now proposed. He for one was clearly of opinion, that to decide with such haste as that hon. member wished the House to decide, on a subject that was as important as it was complicated, would neither be consistent with the practice, the dignity, or the wisdom of parliament. He was therefore surprised at hearing the right hon. baronet, who bore a high reputation for financial knowledge, not only come forward to support the motion of the hon. member for Aberdeen, but also to blame his right hon. friend, the chancellor of the exchequer, for having distinctly told the House, that relief for the disrresses of the country would be more effectually obtained by supporting public credit than by a reduction of taxation; when the right hon. baronet must have known that any great reduction of taxation could not be made in the present state of affairs, without committing a direct breach of public faith. Not only would his right hon. friend have shown an apathy to the financial relations of the country, totally unbecoming his high situation and character, if he had concurred in the amend-

ment brought forward by the hon. member for Aberdeen, but he would also have held out false hopes to the country, if he had at all concurred in the practicability of affording a remission of taxes, to the extent demanded on the other side. In making this observation he had no intention of calling upon gentlemen to pledge themselves that night to support the scale of expenditure which ministers felt it their duty to propose to the House. On the contrary, he must distinctly avow himself to be of opinion, that they could vote against the present amendment, without precluding themselves from the right of entering, on a future night, into a full discussion of the financial resources of the country. Gentlemen on the other side of the House, who had been in the custom of declaring that all surplus was a waste of revenue, and of declaiming night after night against the mockery and inutility of a sinking fund, might indeed be ready, even on so sudden an emergency as the present, to re-affirm all their former opinions; but he thought that gentlemen who had been accustomed to maintain the policy and expediency of a perpetual sinking fund, ought to pause and exercise a little consideration, before they gave their concurrence to a proposition, which contained doctrines in direct opposition to those which they had formerly supported. If gentlemen had reason to believe that the principles on which they had previously relied were erroneous, then he would admit that, in point of public duty and public honour, they were bound to retrace their steps and to avow their errors. They were not bound, however, to rescind in an indirect manner resolutions to which they had previously given a direct and formal support; they were not bound to vote away the taxes which were set aside for the establishment of a sinking fund, without taking into consideration the effect which such a measure might produce upon public credit. They were bound to wait till the repeal of some specific tax was proposed to the House; and they ought to consider two points with regard to it: first, whether it was a tax which was generally felt as an oppressive tax by the community; and secondly, whether it was one which the exigencies of the state would allow to be dispensed with. When the question came in that shape before the consideration of parliament, it would be enabled to decide with propriety whether it was rational or becoming to continue such a tax; but he could not conceive a case in which the House could be more stultified or degraded than it would be at present, if it were to accede to the amendment then before it, upon the speech of the hon. member for Aberdeen, which, whatever solidity it might possess, it was impossible for any member at the instant either to follow or to understand. He repeated it, that under no circumstances could the House be more degraded in public estimation, than it would be, if, after the financial course which it had so long pursued, and the resolutions which it had so lately sanctioned, relative to the necessity of having a clear sinking fund of five millions, it were now to accede to a proposal for the remission of taxes, either to that or nearly that amount. Indeed, he was almost ashamed to have heard such a proposition gravely propounded to a House of Commons. He was completely surprised to find that the hon. member for Aberdeen could know so little of the texture of parliament, as to open to it such a case as he had done—a case filled with a motley group of figures and calculations, far beyond the comprehension of any man at the instant; replete with jobs, or stories of jobs, which might or might not be true; but of which if true, he (the marquis) was totally ignorant, or they should have been redressed. He was also much surprised that the right hon. baronet who had preceded him, and for whose financial knowledge he must again profess his great respect, should have been induced to become a party to the present amendment, on the correction of a few words, which, in his opinion, made little difference as to the absurdity of it. Had he not been a witness to the fact, he could not have believed that the right hon. baronet's vote would have been so easily caught. He should be wasting the time and insulting the understanding of the House, were he to combat for a moment with the idea, that an assembly in whose wisdom the country fully relied, and on whose decisions not only its happiness, but, in all probability, the happiness of the whole civilized world depended, could accede to the opinions which it was now wished to insert in the address; and that, too, not upon sober argument—not upon mature deliberation—but upon a series of calculations which it was impossible for any man who had not previously seen to un-

derstand. It would, therefore, be sufficient for him to state, that in voting for the negative of the present extraordinary amendment, gentlemen would not preclude themselves from a future consideration of the great question of finance, either as related to the public credit of the country, the distress under which part of it laboured, or the best means of relieving that distress. Neither would they, by voting in favour of the original address that evening, deprive themselves of the right of inquiring upon another occasion whether a remission of certain taxes could be made without injury to the public service. As all these questions would still be open for their discussion, he called upon hon. gentlemen, as they valued their character for consistency, to give their negative to the present most extraordinary amendment.

Mr. *Tierney* commenced by declaring, that upon entering the House that evening, it was his fixed intention not to address it. The noble lord, however, by indulging in the language which he had done, and by observing that any man who ventured to vote in favour of the amendment would be committing an insult both to the House and to the country, had made a call upon him to speak, which he found it totally impossible to resist. The noble lord had stated that the words which his right hon. friend had proposed to leave out of the amendment were not of the slightest importance. On that point, however, as on many others, he had the misfortune of differing with the noble lord; for he certainly thought that the omission of the words in question was of very great importance, as it rendered the amendment of such a nature as to deserve the unanimous support of the House. The noble lord had also stated, that the country was looking up to the wisdom of parliament! He felt compelled to observe that the country had been looking for a long time, indeed, up to that wisdom. But it was now beginning to look at the manner in which parliament sympathised with its feelings; and on the present occasion he trusted that hon. gentlemen would embrace the opportunity of regaining its respect and confidence. There was no difficulty in the proposition submitted to the House. The noble lord had indeed said, that there was great difficulty attached to it; but that was by no means the case. He therefore called upon gentlemen to exercise their own judgments in coming to a decision upon it, and not to be led away by the ingenious statements of the noble lord. He cautioned them to look to the manner in which they intended to vote that evening, for they might depend upon it, that if they voted against the amendment, the noble lord would before the end of the session, turn round upon them, when they were inclined to support some plan of retrenchment, and say, that the present was just such a proposition as they ought to have supported, if they had not intended to mislead the government. Let gentlemen, and the country gentlemen especially, take care how they entangle themselves a second time with their constituents. Let them recollect that they were not sent there to vote mere courtly addresses to the throne, but to carry up to it the wishes and wants of those whom they represented. Let them show by their conduct that night, that they had not been uselessly employed during the vacation, but that they had returned to their duties in that House, after a full deliberation upon the evils which were then afflicting the country. He would explain the sense in which he intended to vote for the amendment. It was in the hope that if it were carried, considerable reductions would be made in the expenditure of every establishment in the state, from the highest down to the lowest: and, entertaining such a hope, he held it to be a matter of duty, not to allow one moment to elapse, after the re-assembling of parliament, without stating such to be the deliberate conviction of his mind. Much as he might pity those who might become the sufferers from a strict retrenchment, and much as he might feel for those who might think themselves degraded by the loss of a certain state, by which they were at present surrounded, still he would, so help him God! persevere, if it were in his power, in making it. He was inclined to vote for a reduction of taxation, first of all; because he was convinced that it ought to be made. How far that reduction should extend, he did not exactly know; nor was he called on to declare. A question had been started—whether it might not be advisable to repeal all the taxes which went to support the sinking fund? He would not pretend to give a decided opinion at present on that subject; but his firm conviction was, that in order to support public credit, which rested mainly upon public feeling, it would be more be-

neficial to abolish taxes to the amount of the sinking fund, than to look forward to the distant relief which was to be derived from that source. But, said the right hon. gentleman opposite, "How can such a measure be proposed? How can you meddle with the sinking fund, without doing great injury to public credit?" That argument came with peculiar grace indeed from the right hon. the chancellor of the exchequer, who, it might be supposed from his language, had never meddled with the sinking fund himself. But, was this the case? By no means. The sinking fund, if it had not been for the inroads which the right hon. gentleman had himself made upon it, would, at the present time, have amounted to 22,000,000*l.*; whereas it had now become a question between the right hon. gentleman and the hon. member for Aberdeen, whether it even amounted to one million. Then came the noble lord in support of his right hon. friend; and, what did he say? Why, that the House of Commons having come to a resolution that there should be a sinking fund of 5,000,000*l.*, it was fitting that such resolution should be strictly adhered to. But here he begged leave to ask the noble lord whether the sinking fund had at any one moment amounted to 5,000,000*l.* even after the 3,000,000*l.* of new taxes which had been imposed upon the country to raise it to that sum, and with all the conjurings to which the right hon. gentleman had so frequently subjected it? He believed that more would be done for the country in the way of present relief by abolishing the sinking fund, than by keeping up a sinking fund of not more than 2,000,000l. to defray a debt of 800,000,000*l.* What he would ask, would be the effect of such a sinking fund, even supposing that the country should enjoy (what he sincerely hoped it might enjoy) five years more of uninterrupted peace? Would it facilitate us at all in entering upon a new war? He thought not. But the remission of two or three millions of taxes would have such an effect in satisfying the country—the tone and temper which it would produce would be so beneficial, that he conceived it to be a much more advisable plan, than the continuance of a sinking fund on the present scale. He would not enter farther into the discussion of the evening; indeed, he had not intended to have taken part in it at all; but when he saw the noble lord getting upon his stilts—(and when he was hard pressed, nobody got upon them with greater ease) he felt an inclination which he could not master, to endeavour to take him a little down. He warned the House not to place much confidence in the promises which the noble lord had made about retrenchment and reduction; for, unfortunately, the noble lord was not the fittest man to be believed upon that subject. He would state his reason for saying so. It was shortly this—that the noble lord and his colleagues had uniformly shown, that the only way of getting them to make reductions, was to drive them to it. He therefore called upon the country gentlemen not to allow themselves to be deluded with fine promises. Let them only say to the noble lord "You must reduce, or we will not give you our support," and he should be very much surprised indeed, if the noble lord did not say to them, "Don't repeat that language again; it is very disagreeable, you shall be satisfied, gentlemen." If they meant the country to believe that they felt for the distress under which it suffered, they would not defer their vote in favour of retrenchment and reduction of taxation to a future occasion, as the noble lord had advised; but would come forward and manfully give it in favour of the amendment that evening. They would thus force ministers to every possible reduction, and the country would have the benefit of it in the shape of mitigated taxation.

Mr. *Huskisson* stated, that he did not intend to enter at large, on that occasion, into so important and complicated a subject as the distressed state of agriculture, or to consider how far taxation was one of its causes, and applied to it more than to any other part of the public interest. He must say with the hon. member for Wareham, that he could neither follow nor understand the figures of the hon. member for Aberdeen; but he intended to be a little more consistent, and therefore should not join in his conclusion. For that hon. member had stated, that he would give his opinion on the statements of the hon. mover of the amendment on a future occasion, but would give his vote in favour of them that night. This he himself could not do. He was surprised to hear it said, that the alterations in the amendment were important. They were by no means so; but merely of that ingenious nature, that was calculated to conciliate wavering members, and catch a

few stray votes. It was a little too much to call upon his right hon. friend the chancellor of the exchequer to condemn the sinking fund, which was connected with a system of finance which he had so long advocated. He implored the House to consider the situation in which they were deliberating upon the amendment. His majesty, in his Speech, had called their attention to the state of distress to which the agricultural interest was at present reduced. The responsible advisers of the Crown had stated, that, on an early day, they would submit to parliament what, in their view of the subject was the wisest and most expedient course to be pursued in order to relieve and remedy the agricultural distress. Now, in his humble opinion, it would have been more consistent with the ordinary usage of parliament to have deferred the present discussion till that day, and for the House to have then voted in favour of some other mode of relief, if that suggested by ministers appeared to be inefficient. Though such were his opinions, he should not have explained them to the House, had he not been compelled to rise in consequence of the slanderous insinuations made by the hon. member for Aberdeen against his right hon. friend the chancellor of the exchequer, and the aspersions which he had cast upon the conduct of his office. [Loud cries of "Order, order."] He had understood the hon. gentleman to state, that it was his intention to submit a motion to the House regarding certain monies which had passed through his (Mr. Huskisson's) office being vested in the funds. If the hon. gentleman moved for any accounts connected with those funds, he would gladly produce them. He could assure the hon. member that it was in strict conformity with the injunctions of an act of parliament, and certain orders of the Treasury, that the money in question, which had arisen from the sale of some crown estates, had been vested in the funds. He assured the hon. member that he had, neither directly or indirectly, received any benefit from the money being so placed in the funds.

Mr. *Stuart Wortley* said, the time was now arrived when it was the duty of that House to enforce the severest retrenchment; and to relieve those whom they represented from a part of the burthens under which they were labouring. In the various discussions which must ensue, he should endeavour so to direct his mind to this subject, as to ascertain the extent to which retrenchment was practicable, and consequently the amount of relief which the country had a right to expect. There was one part of the observations which had fallen from the chancellor of the exchequer, which, he confessed, had given him some surprise, and which he could not help thinking a little extraordinary, when considered with reference to the distresses which now pressed upon owners and occupiers of land. If he had understood the right hon. gentleman correctly, he seemed to think that some relief might be afforded to occupiers of land by means of a loan from government, in the same way as such loans had been advanced on former occasions—[The chancellor expressed dissent.]—He was happy to find that he had mistaken the right hon. gentleman's meaning. His majesty's ministers had pledged themselves to take the subject into consideration, and to make retrenchments. It was but fair, therefore, to wait till they saw how far that promise would be redeemed; and upon that ground he could not consent to the present amendment.

Sir *T. Lethbridge* said, he could not see any relief for the distresses of the country except in retrenchment, and trusted that if ministers did not fulfil the pledges which they had given in favour of it, the House would compel them to do so. He called upon ministers to look the distress of the country manfully in the face, and to collect the best information they could relative to its nature and extent. He was convinced, from the language of the Speech from the throne, that ministers were unacquainted with the frightful ravages it had made. If they had seen the individual and collective distress which he had witnessed in that part of the country with which he was connected, he was confident they would have made some more vigorous efforts to relieve it. He felt it his painful duty to support the amendment.

Sir *John Sebright*, after expressing the obligation which he, in common with every man in the country, felt to the hon. member for Aberdeen, for the great exertions he had made to produce a reduction in the public expenditure, stated the paramount necessity which at present existed for enforcing a system of economy in every branch of the public expenditure. The noble marquis had called the resolu-

tions of the hon. member for Aberdeen ridiculous; but he had not said a word to prove them so. They only called upon the House to do its duty and retrench; and, whether it did or no, he would tell the noble marquis, that it would be soon impossible for him and his colleagues to spend money, inasmuch as they would have none to spend.

Mr. *Gipps* also expressed his gratitude to the hon. member for Aberdeen, and his determination to vote in favour of the amendment.

Mr. *Ricardo*, though he agreed with every thing that had fallen from his hon. friend, the member for Aberdeen, in favour of economy and retrenchment, could not vote in favour of his amendment, as he differed widely from his hon. friend as to the causes of the existing agricultural distress. His hon. friend stated, that the cause of that distress was excessive taxation; but the real cause, it could not be denied, was the low price of agricultural produce. That taxation should be the cause of low prices was so absurd and so inconsistent with every principle of political economy, that he could not assent for a moment to the doctrine. Agreeing, however, as he did, with his hon. friend, as to the necessity of economy and retrenchment, and as to the impropriety of making loans to the occupiers of lands, he was sure they would be frequently found, in the course of the session, pursuing together that necessary object, a reduction of expenditure and taxation.

Mr. *Astell* would vote for the amendment, as it pledged the House to a system of retrenchment. If such a system were rigidly enforced, there would, he was convinced, be left a surplus of revenue to form a sinking fund.

Mr. *Benett*, of Wilts, was surprised to hear his hon. friend express an opinion, that taxation was not the cause of agricultural distress. If taxation was not the cause of that distress, how happened it that the English farmer was unable to compete with the foreign, when the soil and climate of England and his own industry, fully entitled him to a remunerating price?

Mr. *Bathurst* contended, that the question embraced by the amendment, was not one of such mean importance as to be taken up incidentally in the manner now proposed.

Sir *E. Knatchbull* said, he felt some difficulty in deciding upon the course which he ought to pursue on the present occasion. He could not, consistently with his duty, in acknowledging the Speech from the throne, put a negative upon the proposition of the hon. mover of the original address; neither could he vote for an amendment, which went hastily to anticipate measures that would, in due course, come more regularly before them. It was agreed on all sides that great distress prevailed among particular classes of the community. The ministers pledged themselves to submit their view of the state of the country. Had the hon. mover of the amendment suffered ministers to suggest their measures before he proposed his own, then indeed the question would have been fairly brought to issue; and the House could determine upon the maturest consideration of the views on both sides. For his own part, he was very ready to say, that had not ministers embodied in the address an admission of the existing agricultural distress, and similar principles of economy with those disclosed in the amendment, he should have felt it his duty to vote against their proposition. It had been said, that the government of the country would not adopt the necessary remedy, but must be driven to economise by a certain party in that House. Upon that observation he should merely observe, that whenever any measures were adopted for the relief of the country, they must emanate from the government; for, unless they did so originate, he knew they would be perfectly useless. It was therefore his anxious wish that the question should be left in their hands. If the noble marquis did not take the course he had promised, then such an amendment as was now proposed might be very properly considered. At present he thought the amendment premature, for ministers stood pledged to lose no time in submitting their views to the House.

Mr. *Brougham* said, that if he wanted any new argument to fix the vote which he had determined to give—if he wanted any additional reason to influence that vote, it had been abundantly furnished by the hon. baronet who spoke last, one of the representatives for the county of Kent, the most distressed of all the agricultural counties in England. The reasoning of the hon. baronet amounted to this—that nothing from any quarter, save the ministers, could hope for success in that House—that, be the quarter ever so respectable, be the measure ever so sound, be the

exigency ever so urgent, unless that measure had the support of ministers, vain were its hopes of success, useless its chance of adoption. The country might perish, the state of the county of Kent might, if it were possible, become even more wretched than it was—still, no measure could ever hope for success, unless it originated with government. Such was the opinion of the hon. baronet; from which another consequence followed (for it was part of the same proposition), that if no measure, however useful, could succeed without the concurrence of government, a measure not the most sound, not the most beneficial, not the best suited to the possible wants of the country—nay, even detrimental to its interests, disappointing its just hopes, and frustrating its most needful expectations—had some chance of success there, if it had the countenance of the ministers of the Crown. That being the hon. baronet's opinion—that being his true and candid declaration of the effective utility of the House of which he was a member—such being the fact respecting that House, which the hon. baronet thought proper to proclaim to the country, he the more marvelled at the hon. baronet's conclusion, which was the very reverse of the premises he had laid down. Surely the hon. baronet's conclusion ought to have been, that he should take care how he voted against any measure that would remedy the evil of which he complained. The only reason the hon. baronet assigned for not pledging the House now to some measure of relief was, that the ministers were planning a remedy which they were to disclose ten or twelve days hence. Entertaining that opinion, the hon. baronet ought to have seen that it became the House to take the earliest possible opportunity of stating the course of relief which ought to be taken in the present crisis; because, if they waited until the ministers were ready—if they suffered ministers finally to make up their minds, regardless of the wishes of the country, then he had the authority of the member for the county of Kent to say, and his own opinion to fortify him in the belief of it, that whatever measures such ministers proposed would be infallibly adopted. Should their measure of relief be to operate an increase in the sinking fund, or be any other expedient, then would the House find it too late to interpose: the measure of the minister would undergo no modification, and the conflict could only terminate one way, between ministers and that House. Not meaning to place this confidence in ministers, he should vote for the amendment; conceiving that by doing so he gave no offence, not even the slightest to his sovereign; for it was the ancient constitutional duty of parliament well to advise his majesty in the arduous affairs of his realm. They were to give counsel to the throne: not to carry up the smooth language of flattery in set phrases—not to re-echo trite sentences of adulation, but to deliver wholesome truths, regardless whether they were agreeable or displeasing to the ministers, who were alone the authors of the King's Speech, and who were also the proposers of the Address, which was in fact an answer to themselves. The amendment did not pledge the House one way or the other, respecting the disposal of the sinking fund. It was the grossest delusion to give it such an interpretation. The only thing to which it pledged the House was, to adopt a rigid system of retrenchment, to reduce unnecessary establishments, and to diminish taxation, for the relief of a suffering people. Whether that relief were to be obtained by an application of the sinking fund or by a reduction of taxes, was an ultimate opinion, not expressed or incorporated here. In adopting the amendment, the House had no more to do with that question, than they had with the arithmetical calculations of his hon. friend, which they of course could not sum up or check at the instant, and for one cipher of which they did not commit their accuracy. They were his hon. friend's calculations alone: they were his reasons alone: and he alone was responsible for their accuracy and for the interesting facts he had mixed up with them. Those who voted for the amendment only acted in that spirit which the exigencies of the case demanded, and which that House would betray its duty to the people, if it did not then adopt. He should have felt that he had not discharged his duty, if he had refrained from stating, that the very reasons urged by the hon. member for Kent for voting against the amendment, were in themselves the strongest which could be adduced in its support.

Sir *E. Knatchbull* said, in explanation, that the learned gentleman had put such an interpretation upon what had fallen from him, as it could not in common fairness bear. It was not his intention to say any

thing inconsistent with the constitutional privileges and rights of that House. All he meant to say was, that a measure in which the country was so vitally interested as this, must of necessity be supported by government, otherwise it could never be expected to succeed.

Lord *Palmerston* said, that the statement of the learned gentleman, of what had fallen from the hon. baronet, was the greatest misrepresentation of the drift of his argument that could possibly be conceived. The hon. baronet had objected to the amendment upon parliamentary and perfectly constitutional grounds. He felt that it was an attempt hastily to interpose between that House and the fair consideration of a most important question. The original address acknowledged, not only the necessity of retrenchment, but that steps had been taken to make all possible reductions. The hon. member for Aberdeen, however, was determined not to wait to see the extent of those reductions, but wished hastily to drag the House into a vague and general declaration, that it was expedient to reduce taxation to an extent which would be inconsistent with the security of the empire.

Lord *A. Hamilton* observed, that the supporters of ministers cast wholly out of their view the inability of the people to pay the oppressive taxes which weighed them down, and talked of the necessity of supporting their system, as if in the resources of the country they had unlimited funds to avail themselves of. If the House looked at the conduct of ministers, they must see what little reliance was to be placed on their pledges of economy. They had over and again made resolutions and declarations, and (to use the noble lord's phrase) had stultified themselves by departing from them. The fact was, they must either stultify their past conduct, or egregiously stultify their future deliberations. In the report of the agricultural committee, the extent of the distress was admitted, but the country was left without remedy or hope. Those with whom he acted saw no other remedy than a practical reduction of the expenditure of the country. It was the grossest injustice to his hon. friend's amendment, to say that it pledged the House to an abjuration of the sinking fund. It did no such thing. Those who voted for the amendment, pledged themselves to no specific mode of reduction; but those who voted against it, not only discredited themselves, but disappointed the just expectations of economy and retrenchment, which the ministers had put into the mouth of the sovereign at the close of the last session.

Mr. *Marryat* observed, that the question here was, whether the situation of the country did not absolutely call for such an amendment as that which had been proposed? It was not only agriculture that was suffering; the distress extended itself to numerous classes of the community. It was objected to the amendment, that it went to pledge those who voted for it to an interference with the sinking fund. He did not take it in that light. It left that question as perfectly open as the original address did. In plain terms, all who thought reduction absolutely necessary were bound to vote for the amendment; all who were of the contrary opinion would vote for the original address.

Mr. *Lennard* said, he had waited till the debate was on the point of concluding, in the hope that the object he had in view, in the observation he should make, would have been attained through the means of some member of greater importance than himself. He could not refrain from stating how much he lamented that in the promises of retrenchment which they had heard from the throne, no allusion had been made to a revision of the civil list. He thought that a reduction in that branch of the establishment would be very important, both on account of the actual saving which might be made in it, and because it would be an assurance of the sincerity of those professions of economy, which could not now be listened to by the House with much confidence. The true dignity of the Crown, would not, in his opinion, be at all impaired by a diminution, in this time of need, of the expenditure. On the contrary, he was sure the affections of the people would be more confirmed towards it, if his majesty, and those who composed his court, should show themselves ready to submit to those privations which the present circumstances made all other persons feel. Besides this, it was to be recollected that the civil list establishment had been formed when the value of money was not nearly what it now was. Concurring with the observation of the right hon. member for Knaresborough, that from the conduct of the House that night the country would receive an impression of its real disposition

to relieve the distresses of the country, he should give notice, that he would, on an early day, move an address to his majesty, humbly to request him to recommend to the House a reduction of the various expenses of the civil list establishment.

The House divided: for the amendment 89. Against it 171. The original address was then put and agreed to

List of the Minority.

Abercromby, hon. J.	Lennard, T. B.
Astell, W.	Lushington, Dr.
Baring, Henry	Lethbridge, sir T.
Barret, S. M.	Maberly, John
Benyon, Benj.	Maberly, W. L.
Birch, Joseph	Macdonald, J.
Brougham, H.	Madocks, W. A.
Bright, Henry	Martin, John
Burdett, sir F.	Monck, J. B.
Bury, visc.	Moore, Peter
Benett, John	Marjoribanks, S.
Bentinck, lord W.	Marryat, Joseph
Blake, sir F.	Neville, hon. R.
Calcraft, John	Newport, sir John
Calvert, C.	Nugent, lord
Carter, John	Ord, W.
Clifton, visc.	Ossulston, lord
Curwen, J. C.	Palmer, col.
Creevy, T.	Palmer, C. F.
Curteis, E. J.	Phillips, G. R.
Claughton, T.	Price, R.
Denison, W. J.	Robarts, A.
Denman, T.	Robarts, G.
Duncannon, visc.	Robinson, sir G.
Ebrington, visc.	Rowley, sir W.
Ellice, Ed.	Rumbold, C.
Fergusson, sir R. C.	Rice, T. S.
Folkestone, visc.	Rickford, W.
Fane, John	Smith, W.
Fox, G. Lane	Smith, Robt.
Grattan, James	Smith, Sam.
Grenfell, Pascoe	Smith, hon. R.
Gipps, George	Scarlett, J.
Haldimand, W.	Sefton, earl of
Hamilton, lord A.	Stuart, lord J.
Heathcote, sir G.	Sebright, sir John
Heathcote, G. John	Tierney, rt. hon. G.
Heron, sir R.	Tennyson, C.
Hill, lord Arthur	Whitbread, W. H.
Hobhouse, J. C.	Whitbread, S.
Honywood, W. P.	Williams, W.
Hughes, W. L.	Wilson, sir R.
Hutchinson, hon. C. H	Wood, ald.
	Wyvill, M.
James, W.	TELLERS,
Johnson, col.	Hume, Joseph
Lambton, J. G.	Bennet, hon. H. G.

Mr. Bernal and colonel Davies were accidentally shut out.

HOUSE OF LORDS.

Thursday, February 7.

STATE OF IRELAND.] The Earl of *Liverpool* gave notice, of his intention to move to-morrow, that the Standing Orders, 26 and 105, relative to the passing of bills, be suspended, and now moved that their lordships be summoned.

The Marquis of *Lansdown* said, he understood the motion of which the noble earl had given notice, had reference to a bill on the state of Ireland. He therefore wished to take that opportunity of calling the attention of the House to the papers which had been laid before the House, and on which the necessity for the bill would be founded. He had understood the noble earl to say in the debate on Tuesday that his conviction of the necessity of a legislative measure with regard to Ireland was founded upon urgent representations from the government of Ireland, calling for an extension of the law. Now, upon looking at the papers on the table, he found in them no urgent demand for additional authority—no representation that an extension of the powers already vested in the executive government was necessary. Their lordships, before they passed any legislative measure, ought to have the representation of the Irish government distinctly before them; and be put in possession of all the evidence upon which the application was made. He hoped, therefore, that the noble earl would consent to lay before the House—not all the despatches he had received from the lord-lieutenant on the subject of the disturbances—but such part of them as showed it to be the opinion of the Irish government, that an increase of authority was necessary to the restoration of tranquillity. He was the more induced to make this request, because, after reading the papers which had been laid on the table, though he saw reason to suppose that the Irish government considered the present disposable military force insufficient for the suppression of the disorders, he could no where find in those papers any declaration of an opinion, that the existing laws were insufficient. In one instance only did an individual express a wish for the revival of the Insurrection act. It might certainly be the opinion of the lord lieutenant that a farther extension of the powers of the law was necessary, but there existed no evidence of that opinion in the papers.

The Earl of *Liverpool* said, that there was evidence sufficient to warrant the proposition he should have to make to the House, on a measure which he expected

would come to their lordships to-morrow from another place. Upon the face of the papers, there certainly did not appear any demand of the kind alluded to by the noble marquis; but it did not follow, that no such application had been made. He had no difficulty in most distinctly stating, that the measures which would be brought under the consideration of their lordships came recommended by the opinion of the Irish government. Their lordships would easily understand, that this opinion might be accompanied by communications which it would not be convenient to lay before parliament. Their lordships would recollect, that in passing measures similar to that now intended, it had not been usual to ground them on that particular kind of evidence required by the noble marquis. In the present case, a general view of the state of the country was sufficient; more particularly as the whole subject of the state of Ireland would at a future period come under the consideration of parliament.

Lord *Ellenborough* expressed his surprise, that in the information communicated to the House, nothing had been said of the cause of the disorders. He thought that when a remedy was contemplated, the cause of the evil ought to be taken into consideration. In the papers on the table there appeared no demand for increased powers. Farther information, certainly, ought to be afforded. He could not help thinking it a very extraordinary circumstance, that though the yeomanry had been formerly called out, it was the yeomanry of the north, not those of the south of Ireland, where the disturbances prevailed.

Lord *Holland* considered the course of argument taken by the noble earl opposite to be very extraordinary. He asserted that measures, such as that which was about to be submitted to their lordships, were not usually preceded by evidence of the kind he had required. In his speech he professed, that the proceedings on the measure were in the usual course, and yet his motion had for its object to enable their lordships to pass a bill in a way contrary to the usual practice of the House. From what little attention he had paid to the state of Ireland, it appeared there was reason to fear that an increased force might be required by the Irish government; but there was nothing in the information before the House to warrant the opinion that an increase of powers was asked by that government. He could no where see reason to conclude that there was any deficiency in the existing law. The measure contemplated was equivalent to the establishment of martial law; and their lordships ought to be fully satisfied of its necessity, before they gave it their sanction. Much as he deplored the employment of military force, his consent to an increase of that force would be more easily wrung from him, than that alteration of the law which the noble earl had in view. If the noble earl would show that the measures of rigour he had in view were demanded by the Irish government, and that there were sufficient grounds for that demand, he would accede to his proposition, painful as it was to think that twenty-two years after the union with Ireland, coercion was still to be employed in the government of that unfortunate country.

Lord *King* could not understand for what reason the opinions of the Irish government were not given. This was one of those practices which prevented their lordships from fixing responsibility any where. The servants of the Crown here say they make a proposition on the application of other servants of the Crown; but upon what authority the latter make the demand, was not in evidence before their lordships.

Their lordships were then summoned for to-morrow.

HOUSE OF COMMONS.

Thursday, February 7.

AGRICULTURAL DISTRESS—PETITION FROM NORFOLK.] Mr. *Coke* rose to present a petition from the owners and occupiers of land in the county of Norfolk—a county in which agriculture was carried on at less expense, and more corn was grown on poor land, than in any other part of the kingdom. He was sorry to say that the state of that county, in consequence of the depression of the agricultural interest, was of the most heart-breaking description; and to no man did that circumstance give more pain than to himself, who had spent the greater part of his life in endeavouring to improve its condition. It was dreadful to behold the distress and alarm which pervaded every part of the county. The requisition calling upon the sheriff to convene the meeting, at which the petition which he held in his hand was agreed to, was signed only by the yeomanry;

and a more respectable body of men did not exist. He was inclined to believe that three out of every five who had signed the requisition were persons who had formerly been the supporters of government. Those persons were now convinced of their error—perhaps reluctantly; but distress had had a share in bringing them to their present state of mind. The county of Norfolk, he was proud to say, was the first to set the example of petitioning parliament—an example which he trusted would be followed by other counties, until they had all brought their complaints before the legislature. He hoped to hear the public voice resound on this subject from all quarters of the country. Unless there should be an union of both whigs and tories, unless the country gentlemen on both sides of the House should combine their efforts, the total destruction of the agricultural interest must ensue. The petition prayed for economy and reform. It described the distress which existed; and declared that taxation, overwhelming and all-devouring taxation, was the cause of that distress. The petition prayed for the reduction of taxes, and particularly of those which were imposed on malt, salt, leather, candles and other necessary articles of consumption, which would afford the country relief to the amount of five millions, without any real injury to the revenue. How astonished must the country be to hear the declaration of the chancellor of the exchequer, that the removal of any tax would be an aggravation of the existing distress! Gracious God! At a time when the people, from one end of the country to the other, were complaining of distress, were they to be told by a hard-hearted and callous government, on the first day of the session too, that they were to meet with no relief, and that their complaints would be disregarded? He did not suppose that the petitions of the people would be attended to by that House; but he certainly did not expect to hear that doctrine so openly avowed. There had been persons who looked up to that House as a land of hope, corrupt as it was, profligate as it was—[cries of "Order."]

The *Speaker* said, he was sure that a moment's reflection would convince the hon. member that he had transgressed the limits of fair debate.

Mr. *Coke* apologized for having said what was considered improper. He knew that he was warm, and it was natural that he should be so. It was understood, however, that the people were not likely to obtain redress from that House. The petition would perhaps better explain the view which he entertained with regard to the constitution of that House, than he could himself. It stated that retrenchment would do much towards the relief of all classes of the community; and he must remind them, that although an hon. member had shown last session that there was no branch of the expenditure, either foreign or domestic, in which reduction might not be made, yet large majorities had always been found to reject his propositions. "Therefore," said the petitioners, "it is our decided conviction, that the corrupt and defective state of the representation is the true source of the prevailing distress, and that until the people shall be fairly represented in parliament, no relief is to be expected." The hon. member for Kent had indeed told the House, in pretty plain terms, the other evening, that no measure could succeed in that House, which did not originate with ministers—a circumstance which did not surprise him, when he reflected on the number of persons who held situations of profit and emolument like that hon. member.

Sir *E. Knatchbull* said, that after the pointed allusion which the hon. member had made to him, and the reproof to which he had been subjected, he felt it, his duty to explain what he conceived to be a very considerable misrepresentation of what he had said on a former evening, and to deny *in toto* the unfounded charge which the hon. member had thought fit to bring against him. The hon. member had alluded to what he described as the gains and profits of his public situation. He felt himself called upon to answer this allusion in the name of the county which he represented. If what was stated by the hon. member were true, that county would not have returned him to parliament as its representative. With respect to what had fallen from him on a former night, he thought he could offer an explanation, from the truth of which no man of candour would dissent. If he had said any thing from which it could be inferred that he questioned the right of the House to adopt any measure which it thought proper, he should indeed be unworthy of a seat in it; but in fact he had only stated

that which had been a common observation with gentlemen on the other side. He had said, with respect to the particular question before the House at that time, that it would be for the best interest of the country, that the measure should be first propounded by government; and if it should appear not to be of a character likely to attain the desired end, then would be the time for gentlemen on the other side to suggest what they might think proper. He had not been properly treated by hon. gentlemen on the other side. One learned member (Mr. Brougham) had replied with considerable warmth to the observations which he had felt it his duty to make. He was willing to pay that deference to the learned gentleman which his commanding talents entitled him to, and would not meet his reproof with an angry feeling; but if he, or any other hon. member, could, by making a personal attack upon him, think to deter him from pursuing the line of conduct which his duty required, he had formed a very erroneous estimate of his character. He had formerly expressed the opinion, which he would now repeat, that it would be but fair to leave ministers at liberty to bring forward their measures, without being anticipated by any ill-judged project, proceeding from any other quarter. The hon. member for Norfolk might be assured. that he would not allow any angry feeling to prevent him from co-operating with him in endeavouring to obtain relief for the agricultural interest. They were agreed upon the extent of the distress which pressed upon agriculture. He would vote with the hon. member, in support of any measure calculated to produce that relief to the agricultural interest of which it stood so much in need; but he must be allowed to say, that the mixing up of other considerations with the great question only tended to injure the cause.

Mr. *Brougham* said, he need not remind the House that it was as fitting for him to make the observations which he had made upon the hon. member's speech, as it was within the scope of the hon. member's duty to make that speech. He had, as perfect a right to state his unbiassed sentiments upon the public conduct of the hon. member, provided he made use of no misrepresentation, as the hon. member had to hold that conduct. If he misunderstood the hon. member, it was open to the hon. member to set him right by explanation. He could only say that he had heard the hon. member explain on a former evening, and had now heard his new explanation; and still thought that no man who had listened to the hon. member could say that he (Mr. B.) had not rightly understood, and rightly represented, his observations.

Mr. *Wodehouse* said, that the distress under which the agricultural interest in the county of Norfolk laboured was greater than at any former period. The petition prayed, and very properly, that reductions might take place, not only in the military and naval departments, but in every branch of the public expenditure. The petition called for a reduction of the civil list, and, in his opinion, such reduction ought to take place immediately. He did not expect that any great saving would be effected by the reductions which might be made, but such measure would conciliate the country, and this was an important object. The hon. member particularly urged the necessity of repealing the tax on malt. The petition concluded with a prayer for the reform of parliament. He confessed he did not know what was the nature of the reform that was asked for. Before he could give an opinion on the question, he must wait till it came before the House in a definite shape. His hon. colleague was in the habit of saying, that he never deceived his constituents. He did not know whether his hon colleague meant to insinuate that others had not acted so uprightly as himself; but he thought his hon. colleague ought, in common manliness, to name the individual or individuals at whom he pointed.

Mr. *Lockhart* contended, that some speedy measures of relief must be adopted to prevent the total ruin of the agricultural interest. It was said by some persons, that public credit and the agricultural interest must stand or fall together—that the stockholder and the agriculturists must go hand in hand. But, how did they go hand in hand? The rentals of the kingdom had been reduced from fifty-one millions, to ten millions, whilst the public creditor still received the same amount of interest as formerly. He did not attribute any callosity of heart to ministers; but he believed their judgment was not sound. They contended that the maintenance of public credit would, of itself, afford relief to the agriculturist. He believed the converse of that proposition to be true. He implored the House to con-

sider the way in which the public peace might be affected, if the distress in which the agricultural interest was plunged were not removed. Might not the scenes which were now acting in Ireland occur here? Already, in the west and midland counties, the farmers were unable to pay their rents; and the time would soon arrive, when they would not possess the means of paying their labourers. Then the consequences would be alarming. Some remedy might be found for the prevailing distress in economy and retrenchment, as well as by guarding against the too great importation of corn.

Mr. *Lushington* said, that his right hon. friend, the Chancellor of the Exchequer, had not, as had been represented, been so callous or hard-hearted as to declare against the reduction of any taxes. What his right hon. friend had contended was, that the maintenance of public credit was the best means of reducing the burdens which pressed upon the country, and that a sweeping reduction of taxes, which would put public credit in jeopardy, must have a bad effect upon the general interests of the community. With respect to the question before the House, he thought the most reasonable course to pursue was, to wait to hear what retrenchment government intended to make before any measure was proposed similar to that brought forward by the hon. member for Aberdeen, which must have the effect of injuring public credit.

Mr. *Hume* was sure the hon. gentleman could not have read the amendment which he had felt it his duty to submit to the House. It did not propose to reduce taxation so as to endanger the public credit. Indeed, he had already disclaimed any such intention. The amendment simply proposed, that reduction should not be confined to one or two, but should extend itself to all departments. He had certainly understood the Chancellor of the Exchequer to say, "Do not reduce taxation, for that will aggravate the burdens of the country." He was happy, however to receive the explanation which ministers had thought proper to give, after eight and forty hours deliberation; though he believed that the declaration of his right hon. friend (Mr. Tierney), that ministers, whatever they might say, would be compelled to reduce the taxes, had conduced to bring it about.

Ordered to lie on the table.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] Mr. Robert Clive appeared at the bar, with the report of the Address on the King's Speech. On the motion that it be brought up,

Mr. *Curwen* said, that although it might be held in the House, that no member was at all pledged by the contents of the address, yet, as that sort of doctrine was not well understood in the country, he wished to make a few remarks, lest by silence it might be inferred that he for one placed any confidence in his majesty's ministers. In his conscience he believed that ministers were not fully apprised of the extent of the distresses of the agriculturists. Little, therefore, could be expected from them; and what had entitled any man to hope any thing, or at least any thing adequate to the existing evil, from that House, he could not determine. Great sacrifices had been and must be made by individuals; and he had been much disappointed by the Speech, when he found that it contained nothing to lead to the supposition that the Crown would be ready to follow, though not to set such an example. He was glad, therefore, that notice of a motion had been given, the object of which was, to compel the Crown to diminish its expenditure. Ministers had required, that the vote for the Address should be unanimous; but were they in a situation to expect unanimity? They differed amongst themselves most importantly; at least, what had fallen from the Secretary of the Treasury did not at all accord with the statement of the Chancellor of the Exchequer on a former night. The House had distinctly understood the latter to assert, that nothing could be more injurious than to reduce the amount of taxation. Did he still retain that opinion, or, within the last eight and forty hours, had he seen reason to alter it? It seemed quite clear, either that the currency must be altered, or the taxes be reduced; and in his own view, after the important change in the circulating medium recently effected, the abandonment of it was highly to be deprecated. He did not ask that agriculture should be preserved at the expense of manufactures; and he admitted, that to raise the price of grain by artificial means at the present moment would be injurious to the improved commercial condition. He required only such a reduction of taxes affecting the farmer, as would put him on

a level with other classes of the community. Every word that fell from ministers on this vital subject flew like lightning from one end of the kingdom to the other. Accordingly, their proposed loan of five millions of Exchequer bills was known by this time in the remotest corners of the empire. Did they mean to advance them upon no security? Probably not; and if upon the security of land, what man would be now mad enough to spend fresh capital on land, which never could give him the means of repaying the loan? This remedy surpassed what he fancied even the present ministers to be capable of. He admitted that public credit ought to be supported, if possible; but would it be preserved by persevering in taxes that could never be collected? The Speech from the throne was fallacious: the revenues were not flourishing: he could not stultify himself by believing that they were so, when he saw that men were living upon their capitals—not upon their incomes. The supposed improvement, he was persuaded, arose only from accidental and temporary causes, and ought rather to excite alarm for the future, than joy for the present. He maintained, that in some way or other the assistance of the fund-holder must be called in: he was for equal taxation, and in no other way could the country be saved. It might be said that there was an act of parliament to the contrary; but let those who produced it beware of what had happened to the French nobility and clergy, after they insisted on their exemption from taxes. Had they been less obstinate, they might still have been in possession of their estates. Was no danger to be apprehended from a want of employment? If no relief were given to the agricultural interest, a great part of the lands of the country must be left uncultivated. He hoped what had fallen from the hon. member for Kent would have due weight with ministers. This great subject ought to be discussed with no mixture of party feeling; and though he was one of the firmest friends of parliamentary reform, he did not think the present the fit time for introducing that subject. The sentiment throughout the kingdom was so strong, so irresistible, that the warmest supporters of government must here desert them; and when once free from the influence of place and power, this question might itself be the first step towards a reform in the House of Commons. The want of employment must lead to internal commotions: it had been the cause of them in Ireland, and would be the cause of them here. If no religious or political feeling operated in Ireland, to what but the deepest distress could the lawless proceedings there be attributed? Did ministers wish such bloody scenes to be performed in England. If they did, they could not pursue a better course than that which they had begun.

The report was then brought up and agreed to.

STATE OF IRELAND.] The Papers relative to the disturbed state of Ireland having been read,

The Marquis of *Londonderry* rose, in pursuance of notice, to call the attention of the House to that part of his majesty's Speech which related to the internal state of Ireland. He trusted the House would think him sincere when he said, that he never had been called upon to perform any duty more painful to him, whether he contemplated it in his public or in his private character. From experience of the manner in which Ireland had conducted herself of late years, it was certainly to have been hoped, either that tranquillity would have been preserved, or if it were disturbed, that it might have been restored without the melancholy contemplation that it was necessary to repress outrage by the strong arm of power. It was a cause of additional distress to him, that it had fallen to his lot to bring forward this subject: it more properly belonged to right hon. friends, who, from their offices, were particularly responsible for the state of Ireland. He could not give a more pregnant proof of the urgency attaching to this business, than to state that he had felt it his duty, not merely at the instance of the administration on this side of the water, but at the express solicitation of the individual now charged with the government of Ireland, not to delay its introduction, until his right hon. friends, the secretary for Ireland, and the secretary for the home department, were able to assist in the deliberations of the House. He therefore threw himself on the indulgence of the House, while he performed a task distressing to himself, and which would come with greater weight and authority from those who were more immediately connected with the interior state of Ireland.—He would now endeavour to state, as shortly as possible, the nature of his propositions, and the

grounds upon which he rested them. If he succeeded in conveying to the House, briefly, his sense of what the case demanded, on every principle of public policy and public safety, on every principle of public order, and mercy to the unfortunate and deluded beings engaged in this rebellious insurrection, it would be the more grateful to his feelings; because, nothing could be so painful as to dwell upon so melancholy a subject. He should best execute his purpose by first stating the nature of the measures he should suggest; in the next place, the period for which he proposed they should continue; and thirdly, he should endeavour to establish the grounds on which those measures appeared to be of exigent necessity to the government of which he was a member. Upon the best view ministers had been able to take of the whole question, and at the immediate instance of the lord lieutenant of Ireland and his advisers, they had determined to propose, that parliament ought to proceed with the least possible delay, to furnish the executive authorities in Ireland with additional powers for the restoration of the public peace. They had, therefore, resolved to recommend to the House the re-enactment of the Insurrection bill, as well as a former law, commonly known by the title of the *Habeas Corpus* Suspension act, under which persons suspected of being dangerous might be apprehended and secured. Before he proceeded to argue how far the case was of a description to induce parliament to comply with this application, he wished to apprise them of the duration it was intended to give these re-enactments. He anxiously hoped it would not be found necessary to renew either of these bills beyond the 1st of August; more especially that by which the *Habeas Corpus* act was to be suspended. He was prepared to admit, that of all painful measures this last was the most painful; and nothing but the strongest impression of its absolute necessity could induce him to propose it. He could not, without the utmost reluctance, deny to any class of his majesty's subjects the enjoyment of that important writ, which had and fitly long been considered one of the best and dearest birth-rights of Englishmen. He believed that the present was the first occasion on which it had ever been proposed to revive the Insurrection act for a time so limited. Whenever parliament had adopted this precautionary measure, to be applied locally, and on the statement of an adequate emergency, no shorter period for its duration than three years had yet been fixed. As, however, he trusted to be able to persuade the House to pass it now with the least possible delay, he should be sorry to name any time for its continuance beyond what the undeniable necessity of the case fully warranted. In a subsequent part of the session, it would be open to the House to consider whether a renewal of the bill might or might not be expedient. Disturbances had existed in the bosom of the metropolis, and then it was that the House had formerly, at one sitting, passed, not only the *Habeas Corpus* Suspension act, but a measure known by the title of the Martial law bill, which in some respects was infinitely more strong than the Insurrection act. The papers just laid upon the table presented nothing short of absolute rebellion, prevailing in a considerable portion of the south and south-west of Ireland. Rebellion was in the field: it was characterized by every mark belonging to Insurrection; resistance to the law, defiance of the constituted authorities, and every component principle of rebellion. The judgment and discretion of his majesty's lieutenant in Ireland must carry weight in every quarter of the House, and he was most decidedly of opinion that such extraordinary powers could not be too soon communicated. He therefore called for them, both on the responsibility of the government, here and on the responsibility of the noble marquis immediately charged with the administration of the affairs of Ireland. He claimed of the House that it would not consider that these laws were called for merely on the strength of the evidence contained in the papers upon the table. He apprehended that hon. gentlemen had always held it consistent with their duty to place a fair degree of confidence in ministers in cases of public exigency. Even before a secret committee, the disclosure of all the particulars known to the cabinet had sometimes not been thought expedient; and the cases were not few in which parliament had taken the exigency on the declaration of the responsible advisers of the Crown: He had already stated that the papers contained such details as proved the clear, undoubted, but melancholy fact, that actual rebellion was at that moment in the field in the south and south-west of Ireland. He could conceive nothing more

calculated to encourage the spirit of disaffection, and to appal and dismay the loyal subject, than for parliament to hesitate now in strengthening the hands of government, as it had done in the time of the predecessor of lord Wellesley, when Ireland was exposed to peril, not of a more serious nature than at the present moment. It afforded him considerable satisfaction to be enabled to state, that the existing rebellion in Ireland was not characterised by any of those wild and theoretical principles of government which at this moment might be said to pervade the world ["Hear, hear," from the Opposition benches]. The spirit in which that remark was received certainly did not show that the measures now before the House were unnecessary. There was a clear distinction between a rebellion of ignorance and of knowledge. Here pressing need and distress were the source of the calamity; and if politics had been involved in the movements of the distractors of the public tranquillity, it was certain that such proceedings could not end in an extension of liberty. But, because political motives were not now attributable, to the rebels, was certainly no reason why the rebellion should not be met by the strong arm of the law. If, in the present Insurrection, those symptoms which existed on other occasions were not to be traced—if in this instance men of education did not take part with the disaffected, and thereby accomplish more permanent injury—it did not follow that the consequences were not to be dreaded, and if possible avoided. The rebellion now carried on was not indeed directed against any particular constitution or form of government under which we lived, but it was directed against every principle of government—against every tie by which mankind was united—against the first principles of social order. The object was, by physical power, to overthrow and destroy all the constituted authorities of the country; and it called into aid the most desperate crimes by which our nature could be degraded—murder and assassination. He was happy, nevertheless, to be able to say, that as political feeling was not mixed up with the existing disturbances, so religious animosities had no connexion with them. Let not the House, however, be sure that if it delayed to act with vigour and effect against these infatuated traitors, the rebellion might not acquire both a religious and a political character. Holding as highly as any man the propriety of conciliation in general, he begged to declare that, to connect it with the bills now under consideration, would, in his view, be a course most fatal to the public interest. He earnestly deprecated the mixture of any such matters: this was in no respect the fit opportunity for the right hon. baronet to enter into the consideration of any case of grievance: this was not the time for discussing why Ireland was more susceptible of commotion than Scotland, or any other portion of the empire, or why a better system of legislation might not be pursued with regard to the Catholics. The object now was, to put down all law, and to dispose of all property; for this rebellion went to nothing short of that point: every thing was to be regulated according to the unknown system of some invisible government: by that it was to be decided how gentlemen were to let their lands, or whether they should let them at all. This, in short, was a rebellion of murder and plunder; and if the House supported the motion of the right hon. baronet, it would sow more deeply than ever the seeds of perpetual disturbance. He therefore most solemnly protested against mixing up matters of grievance with the question of the maintenance of the law: it was only in times of tranquillity that the House could legislate with wisdom and effect upon such subjects. He felt much confidence, that the right hon. baronet would give due weight to these considerations, and assist him in pursuing a course which all who were interested in the welfare of Ireland must, he thought, be disposed to follow—a course which the distinguished individual who had not long since so ably advocated the claims of the Roman Catholics would be anxious to second, and which had been prudently and temperately adopted on a former occasion. When the country was in a state of disturbance and confusion, the year before last, the House had heard no desire from any quarter, that the claims of the Catholics should be taken into consideration; all parties then studiously abstained from their introduction, and it was not until tranquillity had been perfectly restored in this country (Ireland in the interval remaining undisturbed), that the question, in which they were so deeply interested, was brought under the notice of parliament. He trusted that the heads and

leaders of the Catholic body in Ireland would not wish their disabilities to be mixed up with this great and paramount object of enforcing the law, and of protecting the lives of the king's loyal subjects. No course could be more fatal to Ireland or to the expectations of the Roman Catholics, than that which on the former evening the right hon. baronet seemed disposed to recommend. He trusted that the House would look at this question as one which was extremely painful to the executive government, on whom the duty of bringing it forward necessarily devolved. He hoped hon. gentlemen would judge, from the course pursued by government for many years towards the sister country, how anxious those at the head of the national affairs were to secure its peace and tranquillity ; how desirous they felt that the cloud which at present darkened its prosperity should speedily pass away. It was true, that many pledges had been given to the people of Ireland of the anxious desire entertained by government, that they should enjoy all the blessings of the law and constitution. The very delay which had taken place in bringing this subject under the consideration of parliament was, in itself, a proof of the conciliatory spirit which animated the breast of the executive government. They were most anxious, before they demanded extraordinary powers from parliament, that they should be possessed of a perfect knowledge of the state of Ireland; and they were also desirous of learning what effect was likely to be produced by the application, in the South of Ireland, of certain remedies which had been found effectual in the West. The county of Galway had manifested great symptoms of insubordination—a fact which, he believed, an hon. friend opposite, to whose exertions the preservation of the peace in an adjacent county was chiefly to be attributed, could fully substantiate: the county of Galway had been, in fact, most dangerously disturbed, but it was restored to tranquillity by a due exercise of the powers of the law, aided by a large military force. In the same way a special commission was sent into the county of Limerick, and additional troops were also marched there; but the effect was not the same. These measures proved to be almost wholly inefficacious: and therefore it was, that extraordinary powers were now called for. He was quite sure that the noble lord at the head of the government of Ireland, however anxious he must be to administer the law, as it now stood—however desirous he must be, like his predecessor, to make the people of Ireland duly feel and appreciate the benignant sway of the House of Hanover, under which they lived, must at the same time be convinced, that the first duty which he owed to that country was, to cause the law to be respected, and to show that legal enactments were capable of securing both persons and property. He would, therefore, have been trifling with the true principles of moderation and of justice, if he had not come to that House, when the necessity was so evident, for those extraordinary powers which were resorted to on former occasions, as the only remedies against evils similar to those which now existed, in an alarming degree. He was under the painful necessity of stating to the House, that since the receipt of the despatches which had been laid on the table, fresh accounts had been transmitted from the Irish government, which showed that the mischief was considerably aggravated, both in character and degree. Some transactions had occurred, so horrible in themselves, and so painfully distressing to the feelings of those, who, like himself were intimately connected with Ireland, that he could not enter into a detail of the particulars. The practice of attacking houses had increased to an alarming degree, and, in some instances, was accompanied by circumstances of extreme barbarity. In one case, a house in which there were 16 police-men, was surrounded by a body of 2,000 insurgents; who, not being able to effect their object by the use of fire-arms, had recourse to fire, in order to compel the legal force to surrender. In that affray those sixteen individuals who were employed to preserve the peace, were either killed on the spot, or dangerously wounded. The officer who commanded the garrison of Cork stated, that he had seen large bodies of men in the mountains in the neighbourhood of that city; and, though troops were sent into the western district, and even marched into the mountains, they had not been able to drive those deluded people from their fastnesses. He had therefore every reason to believe that, unless the executive government was armed with such powers as the Insurrection act and the Suspension of the Habeas Corpus act would confer, the present disturbances could not be effectually put down. The

Insurrection act was peculiarly applicable to the existing evil. All the operations of those misguided men were carried on by night. The visiting of houses, the forcing open dwellings, in more cases to obtain arms, but in many to possess themselves of other property, were effected in the night time. Large parties of insurgents on horseback travelled from one distant part of a county to another by night, for the purpose of more securely effecting their illegal designs. He trusted that the House would not call on him to state all the reasons which had induced the lord lieutenant to wish for the adoption of the Insurrection act. What he had stated was, he thought, quite sufficient for his purpose. In his opinion, the most advantageous view which could be taken of this rebellion was, that it was wholly confined to the ignorant classes of the people—to those who were without property, without personal influence, without education—with those, in short, who were far removed from the higher orders of society. None of the latter were in any degree connected with it; and he was happy to say, that the sincerity of those ardent manifestations of loyal and constitutional feeling which he had recently witnessed in Ireland, was not to be doubted, on account of the disturbances which unhappily prevailed in different districts. The influence of time, the extension o' civilization, and the encouragement of education, would render triumphant that conciliatory feeling, which the imprudence of individuals, who endeavoured to push the principle too far, and too suddenly, had shaken, but had not destroyed. It was perfectly compatible with the present state of affairs in Ireland, (extraordinary as it might seem), that that country was now in a better situation than at any former period, although a portion of its population was arrayed against the legal authorities. Those who were in this state of insubordination were put in motion, partly by distress, partly by evil habits, and partly by that system of cabal and faction which was always resorted to for the purpose of effecting particular objects, which nothing but time could remove. Still, lest such disturbances might take the more dangerous tint of a political and religious rebellion, parliament was called on to interpose its authority. The mischief was, at present, confined to the lower orders; but it was not, therefore, to be treated lightly; because, though the crimes of those deluded men, arising from the causes he had enumerated, formed a happy contrast to a rebellion originating in religious or political causes, still if such an insurrection were allowed to rage in Ireland for any considerable period, individuals connected with a better class of the community might engage in those criminal excesses. He hoped, therefore, that he did not request any thing beyond what the necessity of the case required, when he called on the House to enable him to carry these measures into effect with the least possible delay. It was his duty to propose the renewal of the Insurrection act, for a period considerably less than that to which it had been usually extended. When he called on the House to agree to the measures which the state of Ireland rendered necessary with the least possible delay, it would be observed, that he did not demand of them to place those laws out of the reach of their consideration in the present session. They would have an immediate opportunity of judging of their operation in restoring order; and at no distant day, they would hear the sentiments of his right hon. friend the secretary of state for the home department, than whom no man possessed a more extensive knowledge of the probable effect of those measures, as well as the opinion of the chief secretary for Ireland, who had arrived in town that day. But after the representations which had been made to government, from both sides of the water, as to the necessity of adopting efficient and vigorous measures, to check the farther growth of the existing evil, it was not deemed advisable to postpone the introduction of the bills to which he had adverted, until the assistance of those gentlemen could be obtained. The noble marquis concluded with moving, "That leave be given to bring in a bill to suppress Insurrections, and prevent the disturbance of the public peace in Ireland."

Sir *J. Newport* hoped the House would feel, after the appeal which had been so pointedly made to him by the noble lord, that it was absolutely necessary for him to make a few observations. If the noble lord, in his high situation, upheld as he was by a powerful train of supporters felt it necessary to throw himself on the indulgence of the House for a patient hearing, how much more reason had he to entreat their indulgence, whilst he stated as briefly as possible, his opinion on this vital question. However painful might be the feelings which the noble lord stated as actuating him on this occasion, he could assure

the House that they were met by feelings on his part which were not less painful, because he was afraid that he should be compelled to differ on this occasion from individuals whom he highly respected and esteemed. The noble lord had called the attention of the House to the hands in which the executive government of Ireland was at present placed. In reference to that point, he would take leave to say that there was no man in that House, not even the noble lord himself, who more highly respected the individual now at the head of the Irish government than he did, or who was a greater admirer of his energy, his political talent, his public spirit, or his exalted humanity. Long as his public duties had detained that noble lord from his native country, and although peculiar circumstances might induce him to call for measures of coercion, still he felt the most perfect conviction, that the noble lord bore in his bosom a heart devoted to the interests of his native country. If the House were now obliged to adopt a remedy of the kind proposed by his majesty's government, he could conscientiously say, that the blame did not rest with him; and, for the purpose of showing that the error lay entirely with those who administered the affairs of that country, he would refer gentlemen to the Journals of the House, where they would find that, on the 19th of June, 1817, a motion was made for an inquiry into the state of Ireland, which motion was negatived.—[The clerk here read the motion, which was, "that an humble address be presented to the Prince Regent, praying that his royal highness would graciously please to direct such a deliberate and accurate inquiry, during the prorogation of parliament, into the state and condition of the people of Ireland, as would develope the nature and point out the causes of the evils which affected that part of the united kingdom, and devise such efficacious and salutary remedies as appeared most adequate to accomplish that object; and, in the emphatic words of the act of union, "promote the prosperity and consolidate the strength and resources of the empire."] Such was the motion made in June, 1817, and that motion was negatived. It was worthy of remark, that one of the tellers who negatived that motion was now secretary of state for the home department. Those who supported that motion called for nothing but that a patient and deliberate inquiry should be made into the condition of the people of Ireland during the recess, so as to enable the House in the next session to probe to the bottom the evil under which that country suffered, and to apply some adequate remedy. That motion, fair and moderate as it was, was negatived. Was he, then, under such circumstances, greatly to blame, if he hesitated to give his confidence to an administration which had acted in this manner? Would he be justified in blindly placing his reliance on the wisdom or justice of those who had refused to examine the extent and cause of the misfortunes which afflicted Ireland, when they came and told the House (he was sorry to say, with too much truth,) that the evils required coercive measures to put them down? No man knew better than he did, that strong measures were necessary. But the difference between the noble lord and himself was, as to the nature and extent of those measures. The noble lord had said, "let us put down the rebellion." So, also, he said; but he could not agree to the adoption of most oppressive measures, which bore the deceitful semblance of constitutional acts. If necessary, let recourse be had to martial law. He would prefer even that to the measures proposed by the noble lord; because it was a plain and clear proceeding, and did not pretend to uphold the constitution, which, in fact, it superseded for a time. The noble lord said much about the efficacy of the insurrection act, but he had not uttered a word relative to the laws which at present existed in Ireland, and were applicable to the circumstances of the times. He wished the noble lord would give the English members some information relative to the acts which were to be found in the Irish Statute-book, the White Boy act, for instance. He would venture to affirm, that there were not five members of that House who knew the nature of that act. The noble lord had alluded strongly to the circumstances of the peasantry going about at night. Now, the White Boy act made that penal. Not merely was the going about at night in bodies, but individually, a penal offence under that act. He knew that he differed —unfortunately differed—from a great body of his countrymen; but, while he remained in that House, however painful the duty which it might fall to his lot to discharge, that duty he would fearlessly perform. He could not bend his mind to place confidence—he would not say in the noble lord, for he had no right to expect his confidence, he had never tendered his

confidence to him—but in some of those whom he knew, and who formed component parts of his administration. The noble lord had stated, that these coercive measures were demanded by the executive government of Ireland: but, there was not a single word in the papers on their table which bore out this statement. On the contrary, there was one instance, in which a police magistrate, who expressed a wish for the Insurrection act, coupled it with the alternative of employing more troops. The noble lord had thrown out an insinuation, that, if these coercive measures were not resorted to, the insurrection in different parts of the country, would, perhaps, assume a political or religious character. This observation filled him with very great concern; because, from what he had himself seen, he did not think the disturbances manifested any symptoms of a political or religious association. The best proof that no such danger existed was to be found in this fact—that, at no period in the history of Ireland, had the Roman Catholic clergy and laity encountered danger with greater firmness, or signalized themselves by the exhibition of greater spirit, than they had recently done, in endeavouring to put down those disturbances, at the hazard of their lives. The noble lord said, that he (sir J. N.) had stated on a former evening, that he would oppose all measures of severity, unless accompanied by measures of conciliation. No man was more devoted to the preservation of order and tranquillity than he was; and the noble lord mistook him, if he supposed, that, under any circumstances, he could lend his aid to any thing that savoured of a breach of the public peace. The noble lord might say that the safety of the state required the executive government to be armed with those extraordinary powers. He, on the other hand, who conceived those powers to be too extensive, would say, "let the government have what is necessary, and no more." If more troops were required; let them have more. If larger powers were necessary, let their powers be extended. Let a commission be appointed, attended by a proper number of troops, to sit from hour to hour, and day to day, until the insurrection was put down. Though the House was assembled to discuss the propriety of passing an insurrection bill, gentlemen were not, perhaps, acquainted with the nature of such a measure. They ought, when they were required to place a penal law on the Statute-book, to be thoroughly conversant with its provisions. In the last year but one, a renewal of this penal measure was called for, under circumstances of as open and violent insurbordination as were ever stated to exist. The hon. member for Galway described the situation of the country, and contended that the Insurrection act ought to be renewed. The chief secretary for Ireland, however, held a different opinion, and declared that the disturbances could be put down without the aid of that coercive measure. The House agreed with him; and the consequence was, that that formidable rebellion was crushed without the assistance of the Insurrection act. What was the feeling of the judges on that subject? Had not one of them, at Limerick, stated that the laws in existence were sufficient to put down the malcontents? Now, what were the provisions of the Insurrection act? In the first place, any person being out after sunset, and before sunrise, under any pretext, whatever might be the cause of his being absent from home during that period, was liable, under the Insurrection act, to transportation—not, be it remembered, by the sentence or award of a jury (hear), but under the uncontrolled direction of the magistrates. The noble lord had deprecated any renewal of the Catholic question during the present session. But, however convenient it might be to his majesty's cabinet, to postpone the consideration of that subject, he believed it would not be found practicable to put it off. As he had been one of that party who had stated, over and over again, that the peace and tranquillity of Ireland would never be effectually secured until an equality of political rights was extended to the whole community, he would not compromise his opinions and feelings by adopting the sentiments of those who told them, that because Ireland was in a state approaching to rebellion, they ought therefore not to entertain a question, the success of which would greatly benefit, and consequently assist in tranquillizing that unfortunate country. He had now stated the reasons which induced him to oppose the noble lord's proposition. He hoped he had done so without inflaming any bad passion. He had divested himself, as far as he could of every impression that might lead him to revive the recollection of unpleasant transactions; and he entreated the House to bear in mind, above all things, that he was most anxious

to avoid the supposition of giving any shadow of countenance to those deluded people who were filling Ireland with disturbance.

Mr. *Hutchinson* said, that determined as he was to oppose the two measures proposed by the noble lord, he was anxious that the motives by which he was actuated should not be subject to any misrepresentation. He was aware of the disgraceful outrages in Ireland, and he agreed with the noble lord as to the absolute necessity of putting them down; but he did not agree that the means proposed by the noble lord would have that effect. In the first place they were not authorised by any thing that was to be found in the papers which had been laid before the House. It appeared that bodies of insurgents, amounting to 2, 3, and 5,000 men, had been invariably dispersed by parties of the military not amounting to more than 30, 50, or 60 men. From these facts, he inferred, that if the powers of the magistracy were enforced by a sufficient number of troops, the insurrection might be effectually put down. The suspension of the Habeas Corpus act was a measure, in his opinion, by no means applicable to the present condition of Ireland; for such a measure was only called for in case of actual rebellion, or the apprehension of rebellion. There was nothing political in the disturbances of Ireland, whatever might be said of their extent or atrocity; and therefore he could not conceive either of the measures proposed by the noble lord likely to do any good in that country. The noble lord had quoted the precedent of 1803, for the proceeding which he at present pressed; but there was no analogy whatever between the two cases, the insurrection of 1803 being actually rebellion, while the persons concerned in it were of a very different description from those who now appeared to excite the conduct of the Irish peasantry. He agreed with the noble lord and others, that those who had violated the law should be punished for that violation; but then he would call for inquiry as to the causes which had driven the unfortunate peasantry to such acts of desperation. It must be recollected that none of the promises held out at the Union to the Irish nation had been realised. He did not mean the promises with respect to Catholic emancipation and other measures of great importance; but those of inquiry into the general condition of Ireland, with a view to the application of an effectual remedy, which the Irish were told should immediately follow the enactment of the Union. Such was distinctly the promise made by the most distinguished members of the government of the day. Such, indeed, was the language of Mr. Pitt, of the noble marquis himself, and of lord Clare, who pledged themselves, as well as all their colleagues, to the institution of the inquiry which he had described as soon as the Union was carried. Yet this pledge was never redeemed: no inquiry whatever as to the state of Ireland had ever since been instituted or proposed. How, then, were the Irish people likely to feel towards the legislature by which they had been so treated, or towards the statesmen who had so scandalously violated their positive promises? But, while inquiry as to the state of Ireland was thus withheld, when any disturbance arose in that country, nothing was proposed by ministers to meet it but measures of violence. He did not withhold his assent from the proposed measures through any distrust or disrespect, with regard to the character of the nobleman who at present presided over the government of Ireland. This observation was not made with any view to join in idle panegyric upon that nobleman, with whom he had not the honour of any personal acquaintance. It did not, however, appear, from any paper on the table, that this noble lord had called for the extraordinary powers with which it was proposed to invest him; but if the noble marquis had even made that call, he, for one, would never accede to it. All that could be collected from the papers before the House, served to show that the grant of such powers was unnecessary, and that if an additional military force of 5,000 men were stationed in Ireland, the whole of the disturbances which prevailed might be effectually put down under the existing law. Yet ministers called for the creation of these extraordinary powers within a single night, and consequently without affording any opportunity for due deliberation. But, was it possible that ministers or that parliament could flatter themselves, that to invest the marquis Wellesley with arbitrary power, would be sufficient to restore the tranquillity of Ireland? The Irish peasantry had many and most severe grievances to complain of; and unless those grievances were redressed, it was in vain to look for

peace in Ireland. Government might go on hanging, transporting, imprisoning, or scourging those unhappy people; but still, while their grievances existed, their disposition to disturbance would be still the same. The peasant, who might be considered a plant of the soil, must be conciliated by the granting of his just claims, or he would ever continue an insurgent at heart. Of the great body of the Irish landlords he wished to speak with every possible respect, as, from his own knowledge, they deserved it. But still he must say, that they did not appear duly to consider their own situation, or the duties which appertained to them, and which they most unfortunately neglected. Much was expected from them in favour of their unfortunate countrymen; but he was sorry to observe that that expectation too often proved vain. The system of tithes was an universal subject of complaint in Ireland; and why was not that complaint removed? The non-residence of landlords and clergymen was also a source of complaint. But through the various and peculiar causes which oppressed Ireland, the peasantry of that country were placed in a state of wretchedness such as was not to be paralleled in any nation of Europe. In corroboration of this fact he could quote the authority of strangers who were then present in the House, exclusive of the authority of every Irish gentleman who heard him. Upon these grounds, he thought it not too much to require that before the governor of Ireland was invested with arbitrary dominion in order to suppress a partial disturbance, a full inquiry should be instituted into the general state of that country, with a view to redress its grievances, to rescue it from misery, and thus effectually to remove the evils which had so often rendered Ireland a scene of disturbance and desolation.

Lord *Mountcharles* conceived, that nothing could have a prior claim upon the attention of parliament than the devising of measures for the suppression of actual rebellion; for it could not be disputed that Ireland was at present in that unhappy state; although the hon. member for Cork had expressed some doubt upon the subject, as if opposition to the king's troops did not amount to rebellion and treason. He differed very widely from the right hon. baronet respecting his conception of the White-boy act and the Insurrection act, as the distinction between those laws was very material indeed: the former entitling the interposition of power only when men appeared in a disorderly and disturbed state out of doors, while the latter warranted such interposition, when suspected persons were not found at home at certain hours. Thus the Insurrection act was calculated to prevent disturbances, while the White-boy act could only serve to put them down when they appeared. Which, then, was the more desirable law, that which prevented, or that which punished. It was, indeed, quite impossible to prevent insurrection in Ireland, without some such measure as the Insurrection act. The magistrates felt that they could not put down the disturbances that prevailed in Ireland without some such law; and from his own experience as a magistrate in the disturbed districts, he could support that impression. It could not be doubted that the ordinary administration of the law was insufficient to meet the existing spirit of violence. The commission at Limerick had notoriously no effect in quelling the disposition to tumult in that county; as the very day after the commission terminated, and after so many severe examples had been made to the violated laws of the kingdom, a person of the name of Slack was assassinated in a chapel yard, in consequence of his having given some information to government. Thus, it appeared, that these desperadoes were in no degree under the influence of religion; that religion of no kind had, in fact, any connexion with their misconduct. He agreed fully with the hon. member for Cork, as to the state of distress in which the peasantry of Ireland were involved; and he hoped that ministers would grant relief to that distress to the utmost extent that their resources could afford. He had himself endeavoured to mitigate this distress as far as his means enabled him; and he most sincerely regretted that those means were unequal to his wishes for relieving his countrymen, many of whom were actually starving. He spoke of the misery of the people in the county of Clare, with which he was more immediately connected. The hon. member for Cork had recommended the employment of more troops as the best means of suppressing the disturbances; but he could, from his own knowledge, state, that it was impossible for any number of troops to endure the harassing marches

which the various straggling parties of insurgents required to disperse their force, and to prevent the loyal inhabitants from being attacked or destroyed at late hours of the night, and in widely separated and distant parts. The Insurrection act, in compelling the inhabitants of each district to be at home within certain hours, would be a much more effectual means of putting down the insurrection, of preserving the peace, and protecting the loyal inhabitants, than any amount of military force that might be sent to Ireland. He was quite aware that the proposed measures were unconstitutional; but he was glad to hear that they were only to exist for six months, and he felt it much better to endure the existence of such measures, particularly as they were but temporary, than to have the constitution itself placed in a state of imminent peril. The hon. member for Cork had objected to what he called the hurry with which it was proposed to press the measures brought forward by the noble marquis; but his complaint was, that those measures were not brought forward much sooner.

Mr. *Spring Rice* said, that he should ill discharge his duty if he did not take occasion to express his opinion upon this subject, especially from his local connection with the district to which the discussion mainly referred. He felt some difficulty in determining how to proceed when the noble secretary of state so confidently declared, "You must pass these two coercive measures, or the insurrection in Ireland cannot be put down, and this you must do without any inquiry into the cause of that insurrection." He was as willing as any man to join in putting down rebellion or insurrection; but he must say, that it would be consolatory to his mind as an Irishman and a friend to common justice, to hear from the noble proposer of these measures, that an inquiry as to the state of Ireland was to be instituted before such measures were passed. The noble lord had stated, that such an inquiry would be gone into at a future time, while he called upon the House to agree to his propositions of coercion merely upon the authority of the papers before the House. But he could not admit that the papers on the table by any means proved the necessity of the measures alluded to, while the authority of lord Wellesley did not appear in evidence, any more than the grounds upon which it rested. Let the disturbances in Ireland be put down by coercion, if that were sufficient; but he hoped and trusted, that some inquiry would be afterwards gone into with respect to the general state of Ireland, and the best mode of managing its government, with a view to the happiness of the people. The House had been confidently told by the noble marquis that the re-enactment of the insurrection law, with the passing of the Habeas Corpus act, would serve effectually to put down the present disturbances in Ireland. But how could the noble lord rely so much upon the efficacy of laws, which, having been already tried, had proved totally ineffectual to the restoration of tranquillity in Ireland? They had been ineffectual, because, within the long period that had elapsed since the Union was carried, no inquiry had been instituted, no attempt had been made to ascertain or to remedy, the real and general grievances of Ireland. Lord Bacon had observed, that "to allay sedition, you must expel the matter of it." But, he was sorry to say, that no measures were taken to expel the matter of sedition in Ireland. With respect to the proposed suspension of the Habeas Corpus act, he could not help declaring that he saw no necessity or utility for the passing of such a law in the present state of Ireland, there being nothing whatever political in the disturbances which prevailed in Ireland; and having gone to that country immediately after the last session, he had had an opportunity of fully examining the character of those disturbances. The noble marquis must himself be aware, that the suspension of the Habeas Corpus act was a measure applied only to disturbances exclusively political. Upon what grounds, then, did the noble lord introduce it upon this occasion? Now, as to the Insurrection act, without entering into any discussion respecting the necessity of some such measure in the present circumstances of Ireland, he could not admit that, under any circumstances, the measure should be adopted in its present shape. That measure was, indeed, such as to call loudly for some alteration, which might be discussed, and which he thought must be agreed to, in a committee, if the noble lord were not determined to press it through the House with such precipitancy, as to afford *only* one night for deliberation. If the noble lord would afford due time and opportunity

for the consideration of this measure, much of what he felt it necessary to say upon this occasion might be spared. The modification which he proposed in the Insurrection act, and of the necessity of adopting which he thought he could have no difficulty in satisfying the House, related to the mode in which the law was administered — that administration being as different from what was right, and prevalent in this country, as any animal of one species could be different from another. By this act, which created a new offence, the magistrates of the district were armed with a new power, of transporting for seven years any man detected in that offence—which consisted in a man's being found to be absent from home within particular hours of the night, that is, from sun-set to sun-rise. Now, without canvassing the character of this offence at present, he would state that he most decidedly objected to the mode of trying the alleged offender. That mode was, indeed, such as to imply a very clumsy system of legislation, particularly as it served to sow the seeds of perpetual dissention between the magistracy and the population of their respective districts. It was, no doubt, the practice in Ireland, to send a barrister, sometimes a serjeant at law, to assist the magistrates in their deliberation upon such offences; but still the magistrates, who had the power of calling in the aid of juries on such trials if they thought fit, were found uniformly to dispense with the exercise of that power. What must Englishmen, and particularly the English members of that House, think of the constituted tribunal invested with such extraordinary power to transport their fellow-subjects, for seven years, to Botany Bay, without any reference of the case to the consideration of a jury? He had himself attended, as a magistrate, at several sittings of the magistracy of his native county, when engaged in administering this Insurrection act, and he never knew a single instance in which a jury was called in to aid in trying the accused, and the same practice he had reason to believe, prevailed in the county of Tipperary at the meetings of the magistracy. Was not this evil peculiarly to be deplored, especially considering the character and constitution of the magistracy in Ireland? Upon this constitution and character he would say nothing himself, but merely quote the words of the late Mr. G. Ponsonby, who had been lord Chancellor of Ireland, and who had particularly examined the subject. And what were the words of that eminent individual? Why, that he had found many of them very ignorant, persons who had been waiters at country inns, and frequently in the habit of standing behind the chairs of the grand jury. Upon this subject he should say nothing more, but merely add the expression of his earnest wish that the generality of the magistracy of Ireland bore some resemblance to those of this country. The magistrates of Limerick, who were peculiarly respectable, had no doubt been most meritoriously active in their endeavours to quell the disturbances in that county. He had, indeed, been himself two entire nights out of bed in pursuit of the insurgents, and he could say, that his friend the gallant officer behind him (Captain O'Grady) was most indefatigably active upon the occasion. Yet at a full meeting of the Limerick magistrates, an address to government was agreed to, quite in coincidence with the sentiments which he had expressed with respect to the Insurrection act. The preamble to that address set forth the state of Ireland, which was forcibly depicted; and this preamble was followed by a prayer, that parliament should be immediately assembled, for the purpose of inquiring into the causes and origin of the present disturbances, and devising adequate means for their suppression, and placing the tranquillity of the country upon a permanent basis. The address, adverting to the Insurrection act, described it as a measure well suited to the exigency of the case; but suggested the expediency of modifying the clause with respect to the trial of offences under that act. Such was the substance of the resolutions and the address agreed to by the meeting alluded to; and upon moving for the production of that document, he hoped he should meet no opposition from the noble lord, as it was material to put the House in possession of it, with a view to afford information from an authority best qualified to furnish it. The information of these gentlemen was indeed intitled to the utmost attention with regard to the mode of administering the insurrection law, coming as it did from those who were magistrates themselves. To the representation of those magistrates, ministers, however, did not think proper to attend; for their desire for inquiry was

disregarded, while it was proposed to re-enact the insurrection law of the 54th of Geo. 3rd, without any modification whatever. The objectionable clause, as these magistrates pronounced it, respecting the mode of administering the law, was, it appeared, still to be retained. But if retained, he would ask any lawyer who heard him, whether, since England had any pretension to the enjoyment of a free constitution, such a tribunal as this act would create was ever before known to exist? There was this very material difference between such a tribunal and a special commission, that a judge of the land presided at the latter, who came into the country without any local prejudice to gratify, and left the country, after performing his duty, without engendering or promoting any local dissentions. But such could not be the case with respect to the mode of administering the Insurrection act, for the magistrates who exercised its powers must become odious to the people around them, or serve to plant eternal discord between the magistracy and the peasantry. It could hardly be doubted, indeed, that any magistrate who should transport a peasant for the offence created by the Insurrection act, would be but too likely to have his person and residence pointed out as objects of jealousy or revenge to the children and connections of the unfortunate transport. Thus a remedy was applied, accompanied by a danger which must long continue, whatever might be the effect of the remedy. The remedy was indeed problematical, while the danger was certain. The hon. and learned gentleman stated, that he should be as ready as any man to invest government with any powers necessary to put down insurrection; but he could not accede to the establishment of a power that went beyond the exigency of the case. It could not be forgotten, however, that the remedy proposed by the noble marquis was but temporary, while the evil which it was meant to meet was permanent. Among the great causes of the popular discontent and disturbance in Ireland, the tithe system was notoriously among the first. But the mode of collecting the revenue was also a prolific source of discontent and violence; and especially that part of the law which referred to the distilleries. The chancellor of the exchequer must, he was sure, from his peculiar feeling and habits of thinking, be quite shocked to learn that one-fourth of the convictions which took place in Ireland arose out of the distillery laws. Such certainly was the fact during the last four years; the whole of the convictions in Ireland being 16,000, while those respecting the distilleries amounted to 4,000. Therefore he must take leave to say, that the chancellor of the exchequer was the most efficient ally of captain Rock.—There was one objection, which he would again press upon the attention of the House, against the precipitate adoption of the measures proposed by the noble lord; namely, that one of those measures was quite imperfect, as he thought he had fully shown; while as to the suspension of the Habeas Corpus act, he would appeal to any English gentleman who heard him, whether he would agree to the enactment of such a measure for any part of England, upon such documents as had been produced, or such arguments as had been adduced, by the noble marquis? He called, then, upon the members for England, to deal with Ireland as they would with their own country. They would recollect, he hoped, that they were representatives for Ireland as well as for England, particularly as the Irish members never forgot that they were as much bound to attend to the interests of England as to those of their own country. He called then upon, nay he implored, the English members not to allow the constitution to be unnecessarily violated or suspended with respect to Ireland; for, if they did, they must prepare their minds for the consequences. If the English members, indeed, allowed ministers to contract the habit of suspending the constitution, or trifle with its principles, their fate could easily be predicted, and there was every reason to apprehend that that House would soon cease to be any thing like a free representative assembly.

Captain *O'Grady* said, he wished to state his grounds for voting in favour of the proposed measures. He had been residing in a county since the last session which was by far the most disturbed of any in Ireland. He lamented that disturbance, and the circumstances which had contributed to its origin and progress; but, for many reasons, he was of opinion that the insurrection act was necessary to its suppression, though the strongest measure that could be devised without amelioration would not effectually answer the purpose. The disturbance, he was con-

vinced had no reference to politics or religion generally, but was chiefly connected with local circumstances, the result of which was rapidly spreading, and must be met with vigour, or incalculable mischief would ensue. It was a mistake to suppose that the peasantry of Ireland were not acquainted with the power of the laws, and that of the magistracy: they knew that power well, but, under existing circumstances, they had the means of eluding it. When magistrates took out the military to enforce obedience to the laws, it was seldom that they could meet with the violators of them. They were in the habit of assembling and carrying on their depredations in small parties, and in various places; they acted like banditti —they went out in darkness, selected the places which they supposed least defended for their exploits, and it was almost impossible for the magistrates and the soldiery to catch them. If, indeed, a magistrate had the good fortune to fall in with them, and takes them in arms, he might confine them for a time, but he could do nothing more; he could not rid the country of them; they might come out again in six months upon the magistrates, who had rendered themselves obnoxious by their attempts to put them down. He was satisfied the existing laws were not sufficient to procure tranquillity. The House was told that the first meeting of the magistrates of the county of Limerick relative to those disturbances was not public: he would tell them why it could not be public. The fact was, that the country gentlemen were afraid, by public advertisement, to acquaint the disturbers of the peace, that they would, on a certain day and hour, abandon their houses to the mercy of the populace. The meeting was held without public advertisement, and could not therefore be a public meeting. The magistrates assembled and did what had been detailed to the House; and in praying for the revival of the insurrection act, they wished the clause to be dispensed with which took cases out of the trial by the ordinary jury. But it appeared that the ordinary laws were inadequate to the repression of those disorders. The special commission had no effect in intimidating their perpetrators; for, on the very night on which the judges arrived in the town to open the commission, a soldier who had straggled from his party was knocked down and deprived of his arms. But, in speaking of the power of the special commission, it was only necessary to inform the House, that a panic had seized the witnesses for the Crown. Those who were to act as jurymen were also intimidated; and excuses were returned, stating that they were afraid to leave their homes and families, lest all which they held most dear should be sacrificed in their absence. The consequence was, that if the gentlemen who were usually sworn as grand jurors, and never before acted as a petty jury, had not come forward and served as petty jurors, it would have been impossible to have found a jury to put the commission in force. When the magistrates, therefore, saw the inefficacy of the existing laws, they assembled in the jury room to petition for the revival of the Insurrection act in its full powers, which was accordingly done. This became the more imperative, because information to convict offenders was not to be procured. Every gentleman might get a certain degree of information, but he defied any one to obtain sworn informations. He had himself made great exertions to get informations on oath, but could not succeed; the deponent would state his belief, but would not swear or sign papers which would make him a witness. It was certain that the peasantry had now established a system of terror in that part of the country, and gentlemen could not go to bed but under an expectation of being disturbed with the report of musketry before morning. Under the existing laws, even if a magistrate came to the house of a peasant by night, and found that he was from home, and if he waited until his return and saw evident marks of a night's fatigue, yet he had no power to take him into custody. If he asked the man what he had been about, he might answer as an English peasant would —"what is that to you?" Where, then, was there any law to prevent those men from going out by night, and from marauding, murdering, and pillaging as they pleased? He thought the gentry of the disturbed part of Ireland, the best judges of the necessity of the proposed measures. They had, in the first instance, prayed for a modified insurrection act, and the increased urgency of events caused them to pray for an insurrection act without modification.—He did not mean then to go into a detail of the grievances under which the people of Ireland suffered; but he would take the opportunity of stating, that there was no man more anxious than he was to

get rid of that intolerable nuisance, the tithe system. He did not wish to put a shilling out of the pocket of the clergy; but he was convinced that if this system was continued for any long time, its result would be most ruinous; and he feared it would produce the destruction of more property than its own. Whoever would bring forward his mind and labour to get rid of that system, would deserve the thanks of his country. He was far from thinking that conciliation towards the people of Ireland should not be adopted: he thought it would be well that an anxiety should be shown on the part of England for their social welfare and moral improvement. Conciliation had always been hailed by Ireland as a blessing; and not less so now, after the hopes which they had been led to entertain. He begged leave to state in conclusion, that in voting for the present measures, he was not actuated by either irritation or fear, but went upon the ground of absolute necessity. He thought that the measures proposed were those of humanity towards the unfortunate people, as in all probability they would save them from the bayonet or the gallows. He hoped the House would entrust the government with the powers required, which he had not the smallest doubt would be well and usefully applied.

Mr. *G. Dawson* rose, principally with a view to notice the observations of a right hon. baronet, respecting his right hon. friend, the Secretary of State for the home department (Mr. Peel). The right hon. baronet had referred to a resolution proposed by him in 1817, for an inquiry into the evils with which Ireland was then afflicted, and which resolution had been opposed by his right hon. friend. The right hon. baronet must have forgotten that his right hon. friend had proposed several Committees in the course of that very year, all having for their object the relief of Ireland from the subjects of complaint. He need only mention the Committee relating to Distillation, and that respecting Grand Jury Presentments. And, because his right hon. friend had, at the end of a session, declined adopting a sweeping motion of the right hon. baronet he was now accused of an indisposition to remove the evils alluded to. He was unable to judge, from the speech of the right hon. baronet, whether he intended to support the present bill or to oppose it, but it certainly would be most extraordinary if he did not support it. He had, in 1817, supported the Insurrection bill, in consequence of a single meeting which had taken place some time before; and, surely, he would not resist the bill now, when nearly the whole south of Ireland was in a state of insurrection.

Sir *H. Parnell* said, he had lost no opportunity to collect information on the nature and extent of the disturbances in Ireland, and he had come to the decision, that nothing short of the measures proposed could put them down: these measures had become absolutely necessary. He would not at present enter into a detail of the circumstances which justified them; but he must say, that the papers referred to by the noble lord, did not go to the full explanation of the extent of the evil. In voting for these measures, he begged to be understood that he did not agree with the noble lord as to the condition on which these measures of severity were to be passed. He thought some time ought to be given to an investigation of the causes which had led to such disastrous results. He was quite satisfied that whatever success attended the proposed measures in the first instance, it would be of a temporary character. If permanent tranquillity was to be obtained, the House must go into an early inquiry as to the circumstances which have led to the existing state of tumult and disorder.

Mr. *Butler* said, he did not concur with the noble lord in thinking that strong measures, to the extent which he had demanded, were necessary to the suppression of the disorders in Ireland. It had been allowed on all hands, that they did not originate in politics or religion. Their origin was in local distress; and this he conceived was a reason why magistrates should not be impowered to act according to the terms of the Insurrection act. Those magistrates were not so often great landed proprietors as middlemen: and these men would, in case the Insurrection act passed, have, in the capacity of jurors, the power of transporting insolvent tenants—a power with which they ought not to be entrusted.

Mr. *Grattan* was persuaded, that coercive measures of every description would, in the end, be found ineffectual. They might hang and shoot the people, but the evil would still go on; and as for giving increased power to the magistracy he had no hesitation in saying, that constituted as the present magistracy were, he should prefer seeing a bill for de-

priving them of all they had already. To such a bill he would give his hearty support.

Sir *F. Burdett* expressed his surprise at the conduct of the noble lord, who, having for upwards of twenty years had the opportunity of knowing the real state of Ireland, of ascertaining the numerous evils which pressed upon her, and of becoming acquainted with their causes, had nevertheless neglected all inquiry, and delayed every remedy, until now that he called upon the House to put down by force, those mischiefs which he had thus negligently suffered to accumulate. He confessed he did not see why the House should consent to go on with measures, which were thus used for a time, and then laid aside until they again became necessary. He was surprised that the noble lord should have the face to get up and call for the repetition of measures of dreadful oppression, without giving the legislature an opportunity of inquiring into the nature and origin of the evils for which these palliatives were required. Was it to be tolerated, that Ireland should know nothing of this country, but through bloodshed and the gibbet? He for one did not think that the evils of Ireland were to be remedied by such means; and that this was the prevalent opinion in the House, he was convinced from what he had heard on the present occasion. He perceived that every member who gave his support to the proposed measures, had done so with considerable reluctance, as if convinced that the remedy of the evil did not lie in them. He was glad to witness this sympathy, and he trusted those gentlemen would act up to its suggestions, by compelling the noble lord to do what he had so long neglected. It was said that the disturbances in Ireland did not arise from any political feelings. He firmly believed they did not. It was impossible that greater affection towards the sovereign could be evinced, or that a stronger sense could be entertained of the compliment paid them, than was shewn by the Irish people in the recent visit of his majesty to their country. This feeling was not limited—it was general throughout the island. That visit had he believed, done some good; but it was impossible that his majesty should work miracles. Had ministers taken advantage of the royal visit, as they ought to have done—had they instituted measures for ascertaining the causes of the evils which, for many years had afflicted that country, and taken pains to apply the proper remedy, the House might have been spared the painful task which they were now called upon to perform. But, supposing the mischiefs existing in Ireland to be as bad as they were represented—still he would ask, what remedy was there in the suspension of the Habeas Corpus act? Surely the government had already the power as much as it would then have, of arresting persons on suspicion. The suspension of the Habeas Corpus act did not give them more; for under that they had no authority to arrest any man without fair ground of suspicion. He maintained that the government ought to be ashamed of this conduct; and he attributed the whole of it to the system of the noble lord, who had suffered those evils to increase, and now came down with great complacency to ask the House to trust his incapable hands with a power which he had before grossly abused. It was said, that the exercise of this great power was to be confided to the magistrates. He was not sufficiently acquainted with Ireland to be a competent judge in this respect; but, from every thing which he had heard in the course of the present discussion, the magistrates were the last persons to whom such a power should be confided. A noble lord had stated, that, before the month of October last, ministers were made acquainted with the disturbed state of Ireland, and that they were at that time intreated to call parliament together to consider of the subject. Why had they not done so? Instead of this, they suffered the mischief to reach its present intolerable height, and then came down for fresh powers. Now, with respect to a remedy, he had no hesitation in saying, that the noble lord at the head of the Irish government, from his great talents and character—and his feelings being so much in unison on the subject of their distresses with those of the Irish people—was of all persons the best calculated to fill that office. He would much prefer seeing extraordinary powers put into the hands of that noble lord for a time, than assent to the present scandalous and disgraceful measure. The noble lord would well know how to apply that power, and would exercise it discreetly for the benefit of his countrymen; and he (Sir F. B.) would put more confidence in the efficacy of his measures, when acting on his own cha-

racter, and from his own feeling, than he could possibly have, when he was acting as the organ of the present administration. He would admit that acts of great outrage had been committed, and that their repetition ought to be prevented. In common with all others, he condemned them; yet it should be known that they were not the result of deep and notorious wickedness, but arose from the pressure of such accumulated miseries, that no man, who lifted up his arm to prevent the mischief, but must deplore the fate of the unfortunate beings who had been driven to its commission. The hon. baronet again adverted to what he declared to be gross neglect in the noble lord (Londonderry), who had been a main instrument, in effecting the union between the two countries, and thereby depriving Ireland of that which might perhaps have worked her salvation; but who had, during a series of years suffered those evils to increase, and taken no one step to prevent them. For the present condition of Ireland, he agreed with the noble marquis, that the only temporary remedy was a large military force. But more, much more, remained to be done. Let his majesty's ministers take into their most serious consideration the state of that country. Let them come down to parliament with whatever plans of amelioration might, in their opinion, be best calculated to remedy the evils which had so long existed in that unhappy country. It would be presumption in any individual member of the House to imagine himself sufficiently aware of the various causes in which those evils originated. What was the government of the country for? Was it merely to attend at the House of Commons for the purpose of answering inquiries on such a subject? Unless ministers entered into such a consideration, and with such views, he was at a loss to conceive how they would be able to apologize for their gross and criminal negligence. With respect to the measure now proposed, he would rather that ministers would declare that Ireland was in such a state, that justice could not be administered without the temporary presence of a strong military force; and he said this the more readily, because he knew no man to whose discretion he would the more confidently intrust such a power, than to the noble marquis at the head of the Irish government. The temporary use, therefore, of a strong military force, with a perfect understanding that the state of Ireland should be taken into the most serious consideration, he would not oppose; but he would not consent to be led blindfolded into the adoption of acts, the consequence of which no one could foresee. If we might judge from experience, they would increase the dissentions of Ireland, instead of re-establishing peace and safety. Again, he said, that the only remedy which appeared to him to be suited to the existing state of things was, the temporary application of a strong military force, accompanied with the avowal of a determination to go into an inquiry, with the view of remedying all the evils which appeared to be capable of remedy.

Mr. *Abercromby* begged to state shortly the reasons by which his vote would be influenced. In the first place, no sufficient ground had been laid for the suspension of the Habeas Corpus act. To a large proportion of the people of Ireland, the noble marquis had himself admitted, that the suspension of the Habeas Corpus act would be inapplicable. The higher and the educated classes were, by the noble marquis's own assertion, loyal; and yet parliament was now called upon to suspend the liberties of the people of Ireland in a way that would affect equally the loyal and disloyal, the Protestant and the Catholic, the inhabitant of the North and of the South of the Island. In the total absence of all proof of the necessity of such a proceeding, no conscientious man could, in his opinion, vote for it. He confessed himself very much disappointed at the meagreness of the papers which had been laid on the table. When the noble lord described them as dispatches from marquis Wellesley, he expected they would be found to contain a comprehensive view of the causes of the present discontents. Instead of that, they resembled a newspaper journal of events. In no part of them did the noble marquis state the principles, the motives, and the views of the discontented. But the noble lord opposite contended, that nothing further should be asked after his declaration that the country was in rebellion. That there were very serious disturbances in various parts of Ireland was too manifest; but they were not of a character to which the common acceptation of the term rebellion could be applied. On the contrary, he understood, by recent accounts, from persons on whom he could rely, that the insurrection in Ireland, especially near Cork,

had almost ceased. And besides, there was nothing in the papers on the table to show that the passing of the Insurrection act was the remedy most desirable in the existing state of affairs. What was the remedy for the evil pointed out by the magistrates of the southern district of the county of Cork, in their memorial to the lord lieutenant? Was it the Insurrection act? No such thing. What those magistrates wanted was, an increased military force; and, unquestionably, if the proceedings in Ireland were really rebellious a large military force was the true and only remedy that ought to be applied. Before passing such an act as that now proposed, parliament ought to be quite sure of what were the defects of the existing law, and whether the new measure would afford an adequate remedy for those defects. He would ask any hon. member to declare, if he knew where the present law failed; or if he conceived that the passing of the Insurrection act would supply the deficiences of the present law. He had the authority of the learned judge who addressed the grand jury in the disturbed district of Limerick, for saying, all that was required was, that the law as it now existed should be enforced. No one could doubt that, in the present state of Ireland, the greatest vigilance was indispensable. He was not one to undervalue the danger; but he had yet to learn that the present proposition was calculated to avert it. It was with some surprise he had heard the noble marquis declare that they must not allow themselves to be intimidated. Certainly not. But, were they because they would not allow themselves to be intimidated, to refrain from being just? The noble marquis's argument was not only that the Irish must bear the Insurrection act, but that they must also bear, that not a single step was taken by the legislature towards conciliation or a redress of their grievances. If he were disposed to press this point maliciously, he might say, that this declaration was made by the noble marquis for the purpose of obstructing, throughout the present session, any proposition having for its object the amelioration of the state of the Irish people. No measure favourable to the Catholics—no other measure generally beneficial to Ireland could be brought forward. All the expectations so fondly cherished from the king's visit to that country—all the hopes entertained in consequence of the appointment of the noble marquis now at the head of the Irish government must be foregone. Such a statement was not calculated to inspire confidence in the noble lord and his colleagues; especially when their conduct towards Ireland in times of tranquillity was considered. He could not vote for the renewal of the Insurrection act, unless it was clearly shown that it would be a speedy and efficient remedy for the existing evil.

Mr. *Hume* wished to ask the noble marquis a question upon the subject on which all the House were united. He could assure the noble marquis, that he had never heard a single person who did not concur in opinion, as to the necessity of taking into serious consideration the system of tithes in Ireland. The tithe system, both in this country and in Ireland, had for many months past occupied his most serious attention. He had carefully examined every parliamentary document connected with the subject; and he asked the noble marquis, who now proposed measures of coercion with respect to Ireland, whether he would support a motion for a committee to inquire into the tithe system and the church establishment of Ireland? He offered the noble marquis and the House his services on this subject, the importance of which was announced by every post and every paper from that country. He wished, therefore, to know whether he should receive the noble lord's support in the motion which, at a very early period, he should feel it his duty to make on the subject?

Mr. *D. Browne* said, that he should not feel himself justified in voting for so monstrous a measure as the Insurrection act, except upon the most clear and overpowering necessity. If it should be the pleasure of the House to pass it, he trusted they would immediately take into consideration the grievances by which Ireland had so long been afflicted.

Mr. *C. Grant* felt himself under the painful and melancholy necessity of acquiescing in the proposition before the House. It was about a year and a half since he had the honour of stating to the House his sentiments respecting the act in question. Those sentiments he still retained. He was as hostile as ever to making such an act a part of the permanent system under which Ireland was to be governed. He maintained this opinion; but he also maintained, as he always had done, that an exigency might

arise to render such a measure necessary. He had never argued that an extraordinary case might not occur, in which he and others might be called upon to sacrifice the principle which they loved, to the pressing demand of the time. On the occurrence of such a case, neither policy nor good sense would justify a resistance to severe necessity. It was, therefore, that he felt compelled, however unwillingly, and with whatever melancholy feeling, to accede to the present proposition. He knew well what was due to those engaged in the government of Ireland. Experience had taught him the difficulties, and the awful responsibility, of those who were intrusted with the care of the lives and property of the people of Ireland; and, therefore, although he frankly avowed, that when he left Ireland there did not appear to him to be any necessity for recommending such a proposition, yet he knew that since that period a different spirit had arisen in that country. He was deeply interested in the peace and prosperity of Ireland, and he could not shut his eyes to the evils with which it was necessary to contend in that country. Those evils had recently spread in the most alarming manner. He confessed that on this subject he did not consider the papers laid on the table by the noble lord to be satisfactory; and had it not been for other information, and particularly some intelligence which reached him that day, he should not have considered that a sufficient ground had been laid for the proceeding. He now granted those powers with the greater willingness, because they were to be intrusted to a nobleman whose general intentions towards Ireland fully concurred with his own—a nobleman, who, he was sure, would not allow any temporary circumstances to thwart the generous views which he entertained towards that ill-fated, but high-spirited people. He was quite confident that the noble personage to whom he alluded would never have asked for any extraordinary powers without deeming them absolutely necessary. He was quite sure that having obtained those powers, he would use them with prudence and humanity, and would feel stimulated to exert himself the more for the welfare and happiness of his fellow-countrymen. The government of Ireland required the utmost vigour, wisdom, prudence and humanity—qualities eminently conspicuous in the noble marquis. An additional reason for the vote which he should that night give, was, his conviction that the noble marquis was as hostile as himself to making such measures a part of the permanent system of government in Ireland. Against any such intention he now solemnly protested. He voted for the bill only for the present session. He voted for it only because the exigency of the case demanded it. He voted for it only because he trusted that, before the close of the session, parliament would enter into a serious and extensive consideration of the general state of Ireland. It was his wish that that should be done even when he was in office; and on this subject he appealed to those who knew him, if it was not his declared intention to bring forward in the present session some plan for ameliorating the condition of that great and interesting country. If any thing could prove more unequivocally than another the necessity of such a proceeding, it was the proposition which it had been found indispensable to make that night. He would not now enter into a detail of the various evils which required redress. Of those, one of the chief was the state of the tithes, than which nothing had more materially contributed to the deterioration of Ireland. In his opinion, the whole of the tithe system required complete revision; but he would not enter on that subject at the present moment. He supported the proposed measures principally on account of the confidence which he reposed in the high character of the marquis Wellesley.

Lord *Ebrington* objected to the proposed measures, because he saw nothing in the papers laid before the House to call for them. There was not a single sentence in the communication of the lord lieutenant which could be construed into a call for any extraordinary powers, much less for such frightful and oppressive measures as those now before the House. Until he came into the House that evening, he was not aware of the powers conferred by the Insurrection act: but, having heard the nature of that act, as well as the description of magistrates to whom its operation was to be entrusted, he felt himself bound to oppose it. He would ask the House, how they could entrust to such men, as the Irish magistrates were described to be, the power of at once transporting any individual who was found absent from his house between sunset and sun-rise? He was ready to go as

far as any man in supporting every measure necessary to preserve the tranquillity of the sister country; but then he wished to have the necessity of the case fully established. He thought the most effectual remedy would be, by sending an additional number of military, and, at the same time, giving the lord lieutenant additional powers to repress the disturbances which existed in several parts of the country.

Mr. *Brougham* said, he could assure his right hon. friend opposite (Mr. Grant) that it would have given him great satisfaction if he could have agreed with him in the view he had taken of this question, especially as his right hon. friend was informed by long experience, and enlightened by large and liberal views of our true policy towards Ireland—views which did him immortal honour, which had conferred great benefits upon the kingdom, and which would have conferred still greater, had his official residence there been prolonged. Indeed, he felt that the impression which his right hon. friend's speech had made upon the House was only to be exceeded by the favourable impression which he had left with the inhabitants of the sister kingdom. He was happy, however, to reflect, that the difference between himself and his right hon. friend was not great. It extended only to the vote, and not to the principle on which that vote was to be given. He agreed with his right hon. friend, that any confidence which might be demanded for the noble marquis, at present at the head of the Irish government, was strictly his due, considering his high talent, his energy as a governor, or the enlightened principles on which he had commenced, and no doubt would continue, his administration. It was because the proposed measures were not indicative of confidence in the noble marquis—it was because they did not apply to the evil the remedy which was required—it was because, if they were necessary (which had been loudly asserted, though not satisfactorily proved), he would much rather arm him with such powers by a specific vote of confidence, than apply a measure which was not the specific remedy for the mischiefs now devastating Ireland, that he felt himself obliged to withhold his concurrence from his right hon. friend. He would briefly state his objections to the measure in question; and first, as to the manner of hurrying it through all its stages in one night. It was only by accident that this had not been done. The delay which must now inevitably take place, had not been granted to gain time for deliberation, or to allow knowledge to be acquired from other sources by those who are totally ignorant of the state of Ireland, except so far as they had been informed of it by the papers then before the House; but it was attributable merely to the engrossment of the bill not having been completed, that they were to have another opportunity of discussing its merits. Had the noble lord a right to treat the House and the country in this manner? Why was no remedy proposed at an earlier period? According to the statements of a noble lord, the state of the country had for some time been such, that much mischief would have been prevented had parliament been called together in October. What was to be the system which they must pursue in future? Was the prevention of crime never to form a part of their policy? Were they never to be called upon to avert crime, but always to punish it? Were they to go on thus, until they came to a state of things which all must deplore, but which none could redress? He repeated, that if ministers had acted with a due regard to the situation of the sister country, they would have assembled parliament four or five weeks ago. But no! this had not been done. Nay, notwithstanding the present declared necessity for this measure—notwithstanding that the omission of a mechanical process only prevented it from being passed through all its stages in the course of one evening—ministers, with all their load of information about them, did not take the ordinary precaution of coming down and making a House yesterday. He was aware that it was the duty of every member to be present; but it was the peculiar duty of ministers, who had a measure of such vital importance to propose, to see that no unnecessary delay should take place. The result of their carelessness was, that the House was prevented from having a single day's consideration of the question. He felt it necessary to say, with his right hon. friend near him (sir J. Newport), that he could not support the proposed measure. He hoped he should not for a moment be supposed to give countenance to acts of lawless and blood-thirsty violence. He was of opinion that, if severe measures must be resorted to, it would be better to increase the mi-

litary force, and at the same time to give large and dictatorial powers to the marquis Wellesley, in whose wisdom and moderation he felt inclined to place the most implicit confidence. But, the more he looked at the present measure, the more he felt convinced, not only of its inconsistency, but of its inefficacy. It was a measure which went to repose confidence, not in the lord lieutenant, but in the magistrates of Ireland. It would be only necessary that two or three of those magistrates, should, upon their own views of the subject. memorialize the Irish government, in order to suspend all law; to annihilate the Constitution, and thereby place at their own disposal, the liberties and properties, the safety and comforts of a considerable proportion of their fellow-countrymen. Now, he would seriously ask whether gentlemen perceived the extent of the power which they were thus entrusting to the hands of others? They gave to magistrates (such as they had been described), a right to enter into the most retired and delicate part of any dwelling-house, and after a reasonable time, if refused admittance, a power to force the chambers even of females; and should any person be found absent upon this domiciliary visit, without reason being assigned, he was liable to seven years transportation. And all this they did without the interference of a grand jury by bill—without the petty jury by their verdict—and without allowing the aggrieved party any satisfactory appeal. Was not this giving a large power to magistrates—was it not giving a frightful discretion to a set of men, who were acted upon by the party feuds and jealousies of their neighbourhood? They ought to be the more cautious, too, when they reflected that, in the event of any complained-of violation of the law being brought into court, the judge had the power of deciding, that there was probable ground of proceeding on the part of the officer; and then, though a verdict might be given for the plaintiff, it would carry no more than sixpence damages, and no costs. But, who were the persons to whom the exercise of this power was to be entrusted? The House had heard the description already given of them, by some of their own countrymen. They were not proprietors of land, but middle men; they were men who were looked upon as the scourges of the people in lay matters, in the same manner as the tithe-proctors were in ecclesiastical matters. This was a proved and incontrovertible fact. Nay, such was the carelessness with which persons were permitted to get into the commission, that a servant-man, who had been for some time a waiter at an inn, and who had stood behind the chairs of God knew how many gentlemen, had actually become a magistrate. The hon. member for the county of Wicklow had, with his hereditary love for Ireland and Irishmen, said, that, instead of giving them new powers, they had better bring in a bill for abolishing the existing magistracy altogether; and the hon. member for Limerick, whose speech, on this occasion, would be long remembered and admired, not only for the valuable information it contained, but for the constitutional principles upon which it was founded, had observed, that while the magistracy of Ireland remained on its present footing it was no figure of speech to say, that justice was bought and sold in that country. Were these the men to whom parliament was prepared to give additional powers? Were these the men to whom, without stopping to make any inquiry, they were at once to surrender up the constitution and liberties of the people of Ireland. It had been said, that no greater encouragement could be afforded to the disaffected than to resist the adoption of these measures of severity. The imputation was unjust. They who thought with him, that the proposed measures were severe and inadequate, were ready to invest the proper authorities with ample powers; but they complained that when ministers came forward with such propositions, they took no pains to connect with them, contingent on the suppression of the present disturbance, measures calculated to heal deep-rooted animosities, and allay the heart-burnings which existed in that misgoverned country. What else but disorganization could be expected in a society where misgovernment was never checked, until its results were demonstrated in the open violence of rebellion. He hoped the noble lord had made an exaggerated statement; but on his own shewing, the state of that country exhibited the melancholy proofs of unjust and impolitic measures. With a population divided on religious subjects, they had a Church establishment greater than that of any Catholic country on the continent, and yet no religious instruction was given by that church to one-tenth of

the people—nay, not even to any thing like that number; for the pluralities were numerous, the clergy were non-residents. With a non-resident clergy to reconcile the people to the tithe-proctor, however, —with an absentee gentry to reconcile the middleman to the cultivator, the only astonishment was, that the parliament should so long stand by without affording one single remedy—without taking one single step to stand between the natural relation of causes and effects.

It was no wonder that such results should attend such a state of things. The only wonder was, how parliament could have looked on so long, and not have taken a single step to interpose between the cause and the necessary effect. It was clear that his majesty's government had planned no measure of conciliation; and the noble lord had plainly avowed, that, while things remained in their present agitated state, it was no time to talk of recommending particular measures to the consideration of the Irish government. Did the House bear in mind the very principle upon which the present ministers had accepted place, and the compromise by which they had been since kept together? Was it not notorious, that so scrupulously delicate upon every question connected with Irish policy—so nicely balanced and trimmed was this cabinet, that if any one of its members retired from office, the successor was selected, not with reference to his ability to fill the station, but on the understanding that, with respect to Irish questions, he should hold the exact opinions of his predecessors? Any question bearing upon Ireland—the question of Irish Tithes, still more the important question of Catholic Emancipation falling amongst them, was certain to produce an explosion. They had heard much of the terrifying abuses of the tithe system in that country—the fatal source of disorder and of oppression; and he was glad to hear his hon. friend put a question to the noble marquis on that subject. Great as was the industry of his hon. friend, and powerful as were the exertions which he had made with respect to other questions of public importance, still he felt that unless the question was taken up by ministers, any attempts to correct the evil made by gentlemen on his side of the House, would be so slow in their effects, as to be nearly ineffectual. The noble lord had drawn a most melancholy picture of the state of Ireland, He had described one part of that country to be in a state of open rebellion. Now, either that statement was exaggerated or it was not. If it was exaggerated, then there clearly would be no ground for the present measure. An augmentation of the military force of the country would be quite sufficient to put down the public disturbance. If, on the other hand, the whole of the population had become tainted, then he would appeal to the House to consider how far the present act was likely to remedy the evil; for, after all the enactments they could make, the magistracy would not be able to visit every house, and to seize on every person who should be found abroad after sun-set, and therefore the military must be called in at last. He should like to know why the military might not be called in, in the first instance? It would not produce any additional expense to the country, and it would save to the constitution the irreparable expense of so fatal an inroad on its most sacred principles. One word as to the suspension of the Habeas Corpus act. The noble lord had declared that neither political nor religious animosities were mixed up in the present disturbances. If, then, a power were given to imprison without trial, it was a measure wholly inapplicable to the alleged mischief; for the Suspension act was only applicable to cases of political or religious dissention, when some violent political or religious agitator was stalking abroad, and when it was desirable that the government should have the power of removing him from the center of his operations. What, then, would the natural consequence be when the people found such an act as this passed, which alone was applicable to political or religious contests? They would infer that it was directed against their leaders—men who probably enjoyed that rank among them from the part they took in their religious or political controversies; and that was the sure way to provoke and embody in the disturbances that from which the noble lord admitted they were now happily free; and to promote that exasperating evil, which happily did not at the present moment deform the condition of society in Ireland.

The Marquis of *Londonderry* said, that the course which the hon. and learned gentleman had taken, imposed upon him the necessity of stating a few reasons in

support of the present measure. From what had been already said, it was clear that the bill, if at all necessary, should be passed without delay; and here he would observe, that the difficulty in the early part of the evening, with respect to the engrossing, having been removed, there was no obstacle to the bill passing through its several stages that night. The hon. and learned member had found fault with ministers for having, with the knowledge of all the facts, delayed the introduction of the measure. But if this proved any thing, it proved that ministers were anxious, as long as possible, to avoid the introduction of coercive measures. He had hoped that the introduction of the military, the appointment of a special commission to the disturbed districts, would have had the desired effect. The insurrection (if that term suited the hon. and learned gentleman better than rebellion) had at last assumed a new character, and required the enforcement of a more prompt and exemplary measure. The bills had been so often passed, that no delay was necessary to enable the House more perfectly to comprehend their provisions. The only question, then, was, as to their expediency. Their necessity he had already affirmed; he deplored it as much as any man, and he admitted that they were great inroads upon the constitution. It was said that they were unaccompanied by any measures of conciliation, and an inference was raised, that government was averse to the due consideration of such measures as the state of Ireland required. He denied that inference, and declared his readiness to hear and discuss whatever propositions the right hon. baronet, or any other member, had to propose for the relief of that country; and as to the Catholic question, the hon. and learned gentleman had talked of the cabinet, as if it presented a novel spectacle in being divided upon that great subject. Did he not know that the cabinet which had preceded them had been also, though not in the same degree, divided on that subject? The hon. and learned gentleman's discovery had not, therefore, the claim of novelty upon that point. He was perfectly ready to discuss the Catholic question whenever it was introduced; but he hoped and believed that the Catholics themselves were not disposed to adopt a tone of menace, or to seek, in moments of civil tumult, the attainment of their claims. It was a little whimsical to mark the constitutional feeling which the learned gentleman, and those who thought with him, adopted to suit their own purposes; they talked of balancing constitutional principles in the cabinet; and yet these modern Whigs were ready to create a dictator, and invest him with the full exercise of those powers which they were at the same time ready to deny to an act of the legislature, setting forth the evil, and specifying the remedy, and restraining and limiting the scope and period of its operation. He had the utmost deference and respect for the marquis Wellesley; but he was not prepared to erect him, or any other human being, into a dictator, as the Whigs of the modern school were so ready to do. The good people of this land wanted no dictator; they preferred the letter of the law, however harsh, to the will of any individual, however gifted.—He now begged to say a few words in answer to the bill of indictment which the hon. member for Limerick had put forth against the magistrates of Ireland. God forbid that he should deny that there were in that, as in other countries, persons not fitted for the situation; but he declared most solemnly, that he had heard for the first time that night, that justice was sold for money, and that the decision of magistrates could be purchased by bribes. He had, indeed, heard it brought forward more than once, that magistrates were prejudiced, were inclined to favour one party above another; but he had never heard until that night, that any man holding the commission of the peace, degraded his station and his character by accepting bribes. He never would assent to the assertion, that the magistrates of Ireland were a degraded body, unfit to be entrusted with the administration of the laws. As far as his knowledge extended of the Irish magistrates, and he was well acquainted with the magistrates in the north of Ireland, their conduct by no means justified the imputations thrown out against them. They were men of respectable station. He knew not what the hon. gentleman meant exactly by middlemen; but the magistrates of the country must, by the very terms of the patent, be possessed of freehold property. He could by no means agree with hon. gentlemen with respect to several clauses of the bill. That clause which gave the power of domiciliary visits: visits to the part of the House where females might be reposing, had

given an opportunity for the eloquent observations of gentlemen; but those were extreme cases, and were not fairly stated. It had been also argued, that a man found abroad after sun-set, was for that act alone to be transported. But that was not the fact: a man found abroad after a certain hour was indeed liable to be brought before a magistrate, and bound to give a rational account of his conduct; and if he should not be able to give a full explanation of his conduct, he would undoubtedly be liable to the penalties of the law. In fact, the law would only throw the onus of proof upon the accused. He knew that that was a sort of law which was not to be approved of, and the necessity of it he much deplored; but let it not be said that every one found abroad after sun-set was, without trial or inquiry of any kind, to be sent off to Botany Bay. Such an assertion was a gross misrepresentation of the law. The administration of the law was not left solely to the magistrates; there were strong correctives in that respect. If the magistrates were ever so corrupt, still they could not commit oppression upon individuals; for the law required, not merely the presence of magistrates, but also that a king's counsel and a serjeant-at-law should preside, and that the assistant barrister of the county should be also present. And if the magistrates, and even the assistant barrister should be found corrupt and unjust, the king's serjeant, had, by the bill, the power to supersede their judgment, and to lay the case before the lord lieutenant, before whom an appeal lay. Such was the state of the law: it was not a state of things under which he would wish to pass the remainder of his days: he hoped to live to see that law repealed, and Ireland restored to tranquillity; but, at the present moment, whilst the rebel stalked abroad, whilst he was actually in the field, whilst neither the life nor property of any honest man was safe, could parliament hesitate to deny protection to the loyal and well-disposed? With respect to the other law, he had a still stronger objection to it than to that to which he had just applied himself; for if there was one provision of the law which it would go most to his heart to infringe upon, it was that which protected the liberty of the subject. He agreed, that where disturbance and rebellion raged, it was not to be arrested by the suspension act; but in other parts more tranquil, where the emissaries of rebellion might be found corrupting and enflaming the people, as was the case in England some years ago, the suspension bill would be the most proper power in the hands of the executive, to protect the unwary and to lay hold of the delinquent. That was the view taken by the marquis Wellesley; who had the manliness and the wisdom, whilst he wished to govern that country in the true spirit of justice and of mercy, yet to let it be seen that he felt it to be his first duty to protect the loyal and the well-disposed, and to assert the dignity of the laws. Hon. gentlemen, indeed, had said, that in the papers on the table, no traces could be found of the opinions and views of that noble marquis. But ministers would have betrayed their duty to the noble marquis and to the country, if, for the purpose of giving the sanction of his high name to such measures as they felt it right to propose to parliament, they had exposed in too naked a shape the views of the noble marquis, his opinions with respect to the state of the country, and the dangers with which it was assailed. Ministers laid before that House a narrative of transactions which had taken place to enable it to guide its course; and here he would say, as a minister of the Crown, standing in his place in parliament, and responsible for his acts, that no steps whatever were taken by ministers, with respect to Ireland, except at the earnest request of the noble person at the head of the government of that country, it was the solemn request of the marquis Wellesley to ministers, to give him, without delay, those powers which they called upon parliament to grant him, powers which had been granted, in times of public danger, to his predecessors. The government at home viewed that excellent and distinguished person as worthy of great confidence; but they would not view him as a demi-god; they would not, with the hon. and learned gentleman, invest him with absolute power, and place him as a dictator over the lives and liberties of the people of Ireland. His majesty's ministers would take the concession of the hon. gentlemen opposite, but they would not apply it as they wished. The noble marquis himself looked not for arbitrary power: he did not wish to play the despot in Ireland. As the representative of a constitutional monarch, he wished to administer the laws of the land in the spirit of conciliation. He felt it to be his first duty to tranquillize the country; but there

could be little hope of ameliorating its condition, as long as the property and the lives of the loyal and well-disposed were at stake. The present differed from the former bills only in one clause, which he intended to read to the committee. It was a clause to render persons liable to the penalties of the law who should be found guilty of writing, sending, or posting threatening letters to procure arms or money. For that offence no provision had been made by the former acts. He would only beg, in conclusion, to say, that the bills which he now proposed were strongly recommended by the marquis Wellesley, and were prepared and settled by the present attorney-general.

Mr. *Brougham* said, he never dreamt of conferring dictatorial power on the marquis Wellesley or on any other man. What he said was, that sooner than give extraordinary power to the local magistrates, he would give extraordinary, nay, dictatorial power for temporary purposes, to the noble marquis, placed at the head of the government, and responsible for his acts.

Leave was given to bring in the bill. On the motion, "that leave be given to bring in a bill to empower the lord lieutenant, or other chief governor or governors of Ireland, to apprehend and detain for a certain time such persons as he or they shall suspect of conspiring against his majesty's person and government," the House divided: Ayes, 195. Noes, 68.

List of the Minority,

Abercromby, hon. J.	Fitzgibbon, hon. R.
Barret, S. B. M.	Fitzroy, lord C.
Beaumont, T. W.	Folkestone, lord
Benyon, Benj.	Forbes, lord
Bernal, R.	Grattan, J.
Birch, Joseph	Gurney, H.
Bright, Henry	Hamilton, lord A.
Brougham, Henry	Heron, sir R.
Burdett, sir F.	Hill, lord Arthur
Bury, lord	Honywood, W. P.
Calvert, N.	Hobhouse, J. C.
Calvert, C.	Hume, J.
Carter, John	James, W.
Clifton, lord	Johnson, col.
Creevy, T.	Lambton, J. G.
Crompton, S.	Lennard, T. B.
Davies, col.	Lushington, Dr.
Denman, T.	Maberly, John
Denison, W. J.	Maberly, col.
Ebrington, visc.	Mackintosh, sir J.
Ellice, E.	Marjoribanks, S.
Ferrand, R.	Moore, Peter
Fergusson, sir R.	Nugent, lord
Fitzgerald, lord W.	Newport, sir J.
Ord, W.	Smith, W.
Ossulston, lord	Smith, hon. R
Palmer, col.	Stuart, lord J.
Price, Robert	Tierney, rt. hon. G.
Ricardo, D.	Tennyson, C.
Robarts, A. W.	Wilson, sir R.
Robarts, col.	Wood, ald.
Rickford, W.	Winnington, sir T. E.
Rice, T. S.	TELLERS.
Scarlett, J.	Bennett, hon. H. G.
Sefton, earl	Hutchinson, hon. C. H.

On the motion, that the Insurrection bill be now read the first time, the House divided: Ayes 202. Noes 44. On the motion, that the bill be printed, the House divided: Ayes 22. Noes 149. The bill was then read a second time.

Mr. *Spring Rice* said, he should feel bound to take the sense of the House upon the bill now going into a committee.

The Marquis of *Londonderry* expressed a wish, that the hon gentleman would allow the bill to pass its several stages that night, so that it might be sent up to the other House to-morrow, receive the royal sanction on Saturday, and be transmitted to Ireland this week. The hon. gentleman could not, he thought, gravely persist in his motion of adjournment.

Mr. *Denman* said, he would oppose the passing of the bill that night, if the noble lord persisted in his determination of pressing it. Such a measure as this, involving the liberties and rights of a great country, ought not to pass like a bill, to which no objections could be made, and on which no information was required. Powers like those granted by this bill ought not to be granted without the fullest deliberation. If the noble lord persisted in his motion, he would employ the forms of the House to prevent such a precipitate vote.

The Marquis of *Londonderry* said, as the learned gentleman intended to employ those forms which might stop the passing of the Insurrection bill that night, he would not press it, but would only beg that the other bill might be allowed without opposition to pass through the same stages, that both might proceed together.

This motion was agreed to; and the two bills were ordered to be committed to-morrow.

HOUSE OF COMMONS.

Friday, February 8.

THE KING'S ANSWER TO THE AD-

DRESS.] Mr. Speaker reported the king's Answer to the Address as follows:

"Gentlemen,

"I thank you for this dutiful and loyal Address. The attachment which you have always shown to my person, family, and government, and the anxious zeal with which you have constantly watched over the interests of my people, satisfy me that every practicable alleviation to their existing distresses, consistent with their permanent welfare, will be afforded. You may rely at all times upon my cordial support in the discharge of your arduous public duties."

ILCHESTER GAOL—MR. HUNT.] Mr. Alderman *Wood* rose to present a Petition from Thomas Hunt, the son of Mr. Henry Hunt, at present a prisoner in Ilchester gaol. The petitioner complained, that he had been prevented from visiting his father. The alderman said, he understood, that Mr. Hunt had been placed in a very extraordinary situation: he had been precluded from all intercourse even with his solicitor or his son. Mr. Hunt had likewise been very ill, and was prevented from obtaining medical aid so early as the necessity of the case required; the medical gentleman who attended the prison living at the distance of five miles. There were some rules made for the regulation of the prison under an act of parliament. It was necessary, before those rules could be enforced, that they should be signed by two or three judges. The rules had been in existence for several years; but whether it was that they were considered too severe, or from any other reason, he could not say, but the judges had never signed them until some time since, during the last session of parliament. It certainly appeared very extraordinary, that rules, which had not been signed for so many years, should all at once be signed and put in practice. The petitioner set forth, that his father was debarred from all intercourse with his family, and his medical attendant. The House might be aware, that Mr. Hunt had made an application to the court of King's Bench, and that the court had made an order, that Mr. Hunt should see his solicitor and his surgeon; but beyond that, he was to receive no indulgence. He had not seen the rules, but he understood they were very severe. Mr. Hunt was placed at an iron grating, and was allowed to see his friends only once for a short time in the 24 hours. It ought to be remembered, that, in consequence of a petition of Mr. Hunt, the House had ordered a commission to investigate the circumstances of which Mr. Hunt complained, and that that commission found it necessary to discharge the gaoler, whom an hon. member had declared to be immaculate. He expected that the hon. member to whom he alluded would acknowledge that he had been deceived when he spoke so loud in the praise of that man. When the evidence which was given before the commission should be in the hands of members, he should feel it his duty to bring the whole question under the consideration of the House. The evidence would show that the former gaoler had been guilty of foul and criminal offences. He trusted that the House would not suffer Mr. Hunt, who, according to the declaration of the judge who sentenced him, was not to be held in solitary confinement, to be treated in the cruel manner of which he complained.

The *Solicitor-General* said, that the individual whose petition was before the House had made an application to the Court of King's-Bench, complaining that his father was not allowed to have intercourse with his solicitor, or with his medical adviser. The moment this communication was made to the court, the judges met, to determine upon what course of proceeding it would be necessary to pursue. The result of their deliberation was, the issuing of an order, the object of which was, to cause an investigation into the circumstances which formed the subject of complaint. That investigation was pending, and the moment the evidence arrived, it would form the subject of consideration with the court of King's-Bench; and if it should appear that there had been any improper conduct on the part of the gaoler, or any other individual connected with the gaol, the court would doubtless correct it.

Sir *F. Burdett* said, that the subject before the House was one of the most important that could occupy its attention. What the Solicitor-general had stated with respect to the proceedings of the court of King's Bench was all very well; but there still existed a question for the consideration of parliament. Surely the individual was not to be confined in the manner stated, until he could obtain an order from the court of King's-Bench. The sentence which had been passed upon Mr. Hunt was, under all the circumstances

of the case, most disgraceful. That sentence was calculated to bring the judicial character into disrepute. It was a sentence more severe than any that had been delivered since the infamous time of the Stuarts. If such sentences as that which was pronounced upon Mr. Hunt frequently occurred, the character of our judges would be brought into the disrepute which lord Clarendon described it to have been in at the period to which he alluded, and which that great writer stated to have resulted from the infliction of punishments disproportionate to the offences. The sentence pronounced upon Mr. Hunt seemed not to have been applied to the offence, but to the individual. It was not an act of justice, but of vengeance. It was a paying off of old scores. They had got an individual who had offended them in their grasp, and they could not let slip the opportunity of wreaking their vengeance on him. The sentence of Mr. Hunt was dreadful. For his own part he would as soon be dead as suffer three years imprisonment. The health of Mr. Hunt must be affected by his long imprisonment, which was still further aggravated by a species of torture which was even worse than another species, because all the sufferings of the victim were hidden from the eyes of the public. It was impossible for him to avoid expressing his abhorrence of the treatment of Mr. Hunt. The judge who presided at his trial seemed to think that he ought to have been acquitted. He was, indeed, acquitted on all the counts but one; and his conviction upon that one, turned on a point of law, rather than any thing else. How could Mr. Hunt know that the meeting at which he presided was an illegal assembly? No violence took place upon that occasion; and, as far as Mr. Hunt was concerned, no man could have conducted himself with more prudence, discretion or merit. The judge, in summing up the evidence, had said as much; and if Mr. Hunt had not had the misfortune to be tried by a jury—for it was a misfortune upon that occasion—if it had depended on the judge for his acquittal or conviction, the former would certainly have occurred. However, he was only convicted of that which he did not know to be a crime. All the individuals who attended the meeting thought they were acting legally; and so did Mr. Hunt. Whether the meeting itself was prudent or not, was another question. All the individuals who attended it, with their wives and children, supposed they were acting under the protection of the laws. Even the magistrates, who afterwards accused Mr. Hunt, sanctioned the legality of the meeting by their opinion. It would be recollected, that a meeting which had been proposed to take place was abandoned upon an intimation from the magistrates that it was illegal. The meeting, for being present at which Mr. Hunt was now suffering punishment, was then announced, and no intimation of its illegality having been given by the magistrates, it accordingly took place. The people met, as it were, under the sanction of the magistrates: who, it was evident, did not at the time think the meeting was illegal, and could not afterwards prove it to be so. Be that as it might, Mr. Hunt was only convicted of having caused so large a number of persons to assemble as was calculated to excite alarm in the minds of other persons. Under those circumstances, the slightest possible punishment should have been inflicted. But when the heavy sentence under which Mr. Hunt was suffering was passed, and that gentleman had, during his confinement, effected the public service of bringing to light a public grievance, by exposing the cruel and disgraceful conduct of his gaoler—a task which would appear the more difficult, when it was considered that that individual (the gaoler) veiled his improper proceedings under circumstances which imposed upon the magistrates of the county—it was quite scandalous to allow a gaoler, or magistrate, to aggravate the severity of his punishment. With respect to the rules which had been referred to, he conceived they were intended only for the regulation of the prison, and that Mr. Hunt did not come within the scope of their application. During the course of last session, Mr. Hunt had complained of certain proceedings which had been instituted against him for selling roasted corn. Upon that occasion, the law officers of the Crown had declared that they did not mean to sue him for the fine which was imposed upon him: but it seemed they had since done so. That circumstance had nothing to do with the question then before the House; but it was important, as showing the quo animo with which government regarded that individual. He had no connexion with Mr. Hunt; but he stood before the House as

an aggrieved person, and in that character he knew him. He could not know the feelings with which some persons might regard him; but if he were objectionable to any, that circumstance should only render them more cautious not to suffer him to be unjustly treated, lest his case should hereafter be made a precedent.

Mr. *Bathurst* said, that the magistrates had the power of making regulations for their several gaols, and when they were certified by the judges they became the law for the government of those gaols. He complained of the mode in which the hon. baronet had impugned the sentence passed upon Mr. Hunt. If that sentence was improper, it should have been made the subject of regular discussion; but the hon. baronet had thought fit now for the first time, and in an indirect manner, to load it with unqualified reprobation. The individual alluded to had himself sought out the quarter, where he would find redress; he had appealed to the court of King's-Bench, that very Court which the hon. members opposite were now holding up to obloquy. But they ought to remember that at the period when the crime, of which that sentence was the punishment, was committed, this country was in a state similar to that of Ireland at the present moment. The state of the manufacturing districts made it necessary to let the country know the strength of the law. The offence was most serious, and the judges had done their duty fearlessly. Nay, it appeared that the country would support the law; for according to the hon. baronet, Mr. Hunt had been acquitted by the judge, but condemned by the jury.

Mr. *Bennet* wished to know who those magistrates or judges were, who had made the order complained of. He was confident there were no gaol-rules which would authorize a gaoler to act as the gaoler of Mr. Hunt had acted. What! prevent him from seeing his solicitor, or his son? Gracious God! he should have thought it impossible that any men, having the feelings of fathers, could have proposed such an order. They were told that the court of King's-Bench would consider the matter; but, the question was, by what right the orders complained of were originally made? He would take it upon him to say, that no law had ever been passed which would authorize such orders. It could not be pretended that the measures which had been adopted were necessary for the security of Mr. Hunt. If he meditated escape from confinement, it was not necessary that he should consult his solicitor, his surgeon, or his son, upon the means of putting his design into execution. Upon the same pretence, he might have been placed in irons. He viewed the affair with suspicion, and could not help thinking that the treatment which Mr. Hunt was experiencing was intended as a punishment for the investigation which he had caused, the guilt which he had detected, and the mismanagement which he had exposed. Looking at Mr. Hunt as an individual, oppressed by an iniquitous judgment, he had desired to take the decision of the House upon his case; but he had abstained from doing so, because he knew that no person connected, as Mr. Hunt had been, with the disturbances which had arisen some time back, would obtain justice in that House. Had he known any House of Commons that was willing to have afforded redress, he and many others would have been anxious, in the first instance, to have come forward upon the subject. The persuasion that no such house existed, had deterred him from publicly stating his opinion; but in private he had always avowed his detestation of that sentence of iniquity and folly pronounced by the court of King's-Bench—of iniquity, because the punishment far exceeded any offence imputed; of folly, because it converted an object of perhaps just reprehension into a public martyr.

Mr. *Dickinson* denied, that any of the complaints of Mr. Hunt arose out of ill-treatment he received because he had occasioned the recent investigation and exposure at Ilchester. With regard to the rules of which so much had been said, it was proper to observe, that though they had existence they had no operation at the time Mr. Hunt was first sent to the gaol: they had been long prepared, but had never been signed by any of the judges. They had been postponed from assize to assize, by the different judges; and Mr. Justice Burrough and Mr. Justice Holroyd having declined to inspect them, they had very recently met with the approval and signature of Mr. Baron Graham and Mr. Justice Best. He had waited upon Mr. Justice Best with the rules, and had pointed out particularly the effect of one of them upon Mr. Hunt, who wished to be visited by what he called his family, which meant nothing else than that he

wanted the company of the wife of another man, of the name of Vince, who, as was well known, had long been living with him. After the rules had been once approved by the judges, he conceived, that the magistrates of the quarter sessions had no power to alter them.

Sir *I. Coffin* was merely desirous of saying, that when he formerly bore testimony to the character of the keeper of Ilchester gaol, he had not the slightest suspicion that thumb-screws were ever employed in it.

Sir *T. Lethbridge* maintained, that nothing but the indulgence granted to Mr. Hunt had led to the complaints of which the House had already heard too much. If he had been treated like other prisoners charged with similar offences, all the troubles that had lately arisen would have been avoided. As to the magistracy of Somerset, they were a body of men incapable of acting from impure or unworthy motives, and were as respectable a bench as any in the kingdom. With respect to the petition, if any ulterior proceeding were proposed he should steadily oppose it; for he thought it unconstitutional for that House to attempt to reverse the sentence of a court of law.

Mr. *Hobhouse* said, he should be glad to be informed whether Mr. Hunt's son was to be considered as an improper person to have access to him. With regard to the female in question, he knew nothing of her, and he would not stand up in that House to defend immoral conduct; but he would say that exclusion from the society of that female was no part of Mr. Hunt's sentence. The hon. baronet had attributed much of the mischief to the concessions which had been made to Mr. Hunt. Was the removing of the thumb-screws a concession? Or was it in the eyes of the hon. baronet a mischief? Surely, the hon. baronet could not have known of the existence of these practices, or he never would have justified such conduct. In a list of sentences for political libels he observed a judgment upon one man of four years and a half. This was a sentence unknown even in the atrocious times of Charles the 1st. It had been said that an improper time was selected for the present complaint, but, in his opinion, complaints of such a nature ought to be brought forward at all times. He thought ministers would be highly culpable if they did not send down an order to relax the severities complained of. The sentence upon Mr. Hunt he had always condemned; and as long as he had a seat in that House, or a tongue in his head, he would pronounce it to be one of the most outrageous sentences which had ever disgraced the Bench. The judge who tried the case, he believed did not expect a conviction.

The *Attorney General* said, that the hon. member for Shrewsbury, had made a most unwarrantable and unprovoked attack upon the judges of the court of King's Bench. If the gentlemen opposite entertained the opinion they had expressed, why had they not brought forward a specific charge. The hon. member for Westminster had selected a case of heavy punishment for political libel. He (Mr. Attorney General) did not know the case, but he presumed it was that of the "much injured" Carlile. That individual had been punished, not for one libel, but for a series of libels of the most aggravated description, The hon. member for Westminster was mistaken in supposing that Mr. Justice Bayley, who tried Mr. Hunt, did not expect a conviction. The charge of that learned judge to the jury, impartial as it was, clearly showed the opinion of the judge upon the count in the indictment on which the jury returned a verdict. Mr. Hunt had had a most impartial trial: he was tried in a county of his own selection, by a jury of his own selection, and after the trial he had complimented the judge on the impartiality he had displayed on the trial. And now that learned judge was arraigned for the sentence he had afterwards passed. To remove any doubt as to the opinion of Mr. Justice Bayley on the case itself, it would be only necessary to refer to the language of the sentence, which declared that the offence approached very nearly to the crime of high treason. Perhaps the hon. gentlemen opposite thought the Manchester meeting was legal. [Hear.] But the jury, the judges, and the majority of the country thought otherwise. However it was unnecessary to discuss that question at the present moment. All that he complained of was, that the hon. member had not brought the subject before parliament in a proper shape. With respect to the rules of the prison, he did not profess to know any thing about them; but he knew that the moment Mr. Hunt complained to the court of King's-bench by letter, that court had made an order, for giving him redress; a circumstance which

showed that Mr. Hunt himself had not that opinion of the court of King's-bench which appeared to be entertained by hon. members. It was, therefore, unfair to arraign the conduct of the judges of that court upon general censure, without reducing them to a specific charge.

Mr. *Hobhouse* said, it was not Carlile's case to which he had alluded, though he knew very well the motive of the learned member in mentioning Carlile with reference to him. The case he alluded to was, a sentence passed, not by the court of King's-bench, but by the quarter-sessions.

The *Attorney General* declared, upon his honour, that he had no motive whatever in mentioning the name of Carlile, with reference to the hon. member. As the hon. member was complaining of the conduct of the court of King's-bench, and as the case of Carlile was that in which the court had passed the heaviest of its sentences, he naturally concluded that his was the case alluded to.

Ordered to lie on the table.

KNIGHTSBRIDGE BARRACKS—PETITION OF THE CORPORATION OF LONDON.] The Sheriffs of London presented the following Petition:

"To the hon. the Commons of the United Kingdom of Great Britain and Ireland, in parliament assembled." The humble Petition of the lord mayor, Aldermen, and Commons of the City of London, in Common-council assembled,

"Sheweth—That it is with feelings of serious pain and regret that your petitioners should have occasion again to approach the bar of your hon. House in the language of complaint, and to be compelled, as well on their own behalf as on that of the civil authorities throughout the country, to call upon your hon. House for protection against that lawless and unconstitutional spirit recently manifested in the frequent attacks made by the military against his majesty's unarmed and peaceable subjects, and which your petitioners lament to state, has even extended itself to an outrage, and an attempt at assassination of the head of the civil power of the metropolitan county:

"That upon the melancholy occasion of the funeral of her late majesty queen Caroline, two persons of the names of Francis and Honey unfortunately lost their lives, in consequence, as it would appear from the inquests of the coroner, of the illegal and unjustifiable violence of some of the life-guardsmen, against one or more of whom a verdict in the one case has been returned of 'Wilful Murder,' and in the other of 'Manslaughter:

"That notice having been extensively circulated of the intention of interring the bodies of those unfortunate individuals at Hammersmith, on Sunday the 26th day of August last, and of having a public funeral, Mr. Alderman Waithman, one of the then sheriffs, and a conservator of the public peace of the county of Middlesex, felt it his duty to direct the attendance of the constables and officers of the divisions nearest to and through which the funeral procession was expected to pass, and also to attend in person to prevent or quell any tumult or disorder:

"That the sheriff, being necessarily apprehensive, under the existing irritation of the people, and the melancholy occasion for which they were assembled, that some insult might be offered to the life-guards in their barracks, disposed of the constables chiefly in that vicinity, and actually ranged a body of them in front of the barracks, with instructions to apprehend every individual who should attempt to commit any act of outrage or disorder:

"That the funeral in consequence of these precautions, passed the barracks in an orderly and quiet manner, marked by no other peculiar circumstance than that of a brick being thrown from the barracks. The sheriff's admonitions, and the presence of the constables, succeeded in repressing the provocation which such a wanton act was but too well calculated to excite:

"That when the procession had passed and while the road continued to be crowded with people, the gates of the barracks were thrown open, and the avenue filled with soldiers; that the people gathered round the spot and expressed their displeasure; that a tumult appearing inevitable, the sheriff requested to speak with the officer on duty, but without effect; and it was only by repeated expostulation with the soldiers that he prevailed upon them to retire within the barracks, and to close the exterior gates:

"That shortly after the gates were unexpectedly thrown open, and the soldiers rushed out armed with swords, carbines, and sticks, and attacked the people most furiously, without distinction

of age or sex. That the sheriff, finding matters in this serious state, rode directly upon the cause-way, and interposed between the parties, and succeeded in separating them. While thus engaged, a soldier, with whom he had been before expostulating, and who was therefore acquainted with his official situation, started forward at a man, and knocked him down. At the same time, while the sheriff was using his utmost endeavours to prevail upon the soldiers to retire within their barracks, and the people to desist and keep the peace, the bridle of his horse was violently seized on the one side by an officer in undress, and on the other side by a soldier, whose violence he had just noticed, and who endeavoured to throw his horse over the causeway. That the sheriff only preserved himself by striking the soldier with his stick, and making his horse plunge. That immediately several of the soldiers rushed at the sheriff with their swords drawn, and one actually loaded his carbine, and directed it towards the sheriff; but this ruffian was prevented by the brave interposition of one of the constables, who knocked the carbine from his shoulder. That during the affray the sheriff could not obtain an interview with any of the officers of the life-guards, and when he desired some of the constables to represent to them in the most respectful terms his desire that the soldiers should be kept within the barracks, the message returned was in language most unwarrantable and gross, and stating, that they would not make their men prisoners for him:

"That your petitioners observe with surprise and regret, that although his majesty's government apprehended a breach of the peace between the life-guardsmen and the people, from the state of irritation in which the minds of both parties were known to be from the unhappy catastrophe on the day of her majesty's remains leaving Hammersmith, a verdict of Wilful Murder having been given against a life-guardsman in respect of one of the individuals, and the jury remaining then impanelled in the other, yet that no efficient measures were taken by his majesty's government or the officer commanding the troops at Knightsbridge to prevent the same by guarding against a collision of the irritated parties, and that the sheriff of the county was left not only to preserve the public peace, but to defend the people against the merciless outrages of an infuriated and armed soldiery, unaided by any means but the constitutional ones, and without any assistance or support from the police and county magistrates:

"That your petitioners, from a careful, minute, and full examination of the affair, through the medium of a report of a committee of your petitioners, together with the evidence taken by such committee, all which they beg permission to lay before your hon. House, do find, that not only a furious attack was made by the life-guardsmen on the people, thus placing the lives of his majesty's subjects in imminent danger, but that a violent and personal outrage was likewise committed by the soldiers on the sheriff, while in the exemplary execution of his duties, by laudably exerting himself, at the great hazard of his life, to preserve the public peace, and in his person in the high and important station which he filled, thus contemning and defying the civil authority with which he was invested, and planting a military power above the law:

"That the day following the sheriff addressed a letter to the right hon. earl Bathurst, one of his majesty's principal secretaries of state, detailing the events that had taken place, and although his majesty's government, as represented by the noble earl in his reply to the sheriff's letter, deemed an inquiry necessary, yet your petitioners, with astonishment, take leave to inform your hon. House, that, as far as they can learn, no proceedings or inquiry have hitherto taken place, or the sheriff been required to produce any evidence, or in anywise called upon to substantiate the circumstances and representations contained in his said letter to earl Bathurst; and, notwithstanding the doubts which the noble earl has thought proper to entertain with respect to the correctness of the sheriff's statement, your petitioners cannot forbear impressing upon your hon. House their decided conviction (founded upon the concurrent testimony of the evidence) of the full truth of the sheriff's letter to lord Bathurst, and that it was wholly to the exertions of the sheriff that much mischief and bloodshed were prevented:

"Your petitioners, therefore, humbly pray your hon. House to institute an immediate and effectual inquiry into the origin, progress, and termination of the transactions and outrage above alluded to,

and adopt such measures as in your wisdom shall seem meet, to prevent a recurrence of the like violation of the laws; and that your hon. House will take such steps as will protect the rights and privileges of the City of London, in the persons of its officers, the sheriffs, from military force and insubordination, uphold the liberties of the subject, and preserve to the civil authorities throughout the nation their personal security, rights and immunities."

On the motion of alderman Wood, the petition was ordered to lie on the table, and to be printed.

Irish Insurrection Bill.] On the order of the day for going into a committee on this bill,

Sir *J. Newport* said, that he understood, from the noble lord opposite, that the noble marquis at the head of the Irish government had recommended the adoption of the Insurrection bill and of the Habeas Corpus suspension bill, without alteration or modification; and having in every former transaction of that noble person's life admired his talents and entertained the highest opinion of his public conduct, he was disposed to wave his own opinion, and not to press for the modification of measures which, it was said, the noble marquis demanded without modification. He took this course, also, on the conviction, that if he were to persist in calling for modifications, and if the House gave way to his representations, then, should the measure be found inapplicable to the present state of Ireland (as, however modified, he believed it would be), he should be accused of having rendered the act inoperative by the introduction of those modifications. Under such circumstances, the responsibility (and an awful responsibility it was) rested with the head of the Irish government, who required these measures in their most potent form.

Lord *Folkestone* said, he felt himself imperiously called upon to enter his protest against the measures proposed by the noble marquis. His right hon. friend had thought proper to wave his objections to the proposed measures, on the ground of his great confidence in the disposition and character of the marquis Wellesley. But for himself, he must say, that upon no authority whatever could he deem it consistent to invest any individual with such authority as these measures were meant to create. Where was the evidence of lord Wellesley's authority for the adoption of these measures? There was, in fact, no evidence whatever to warrant the adoption of such extraordinary measures. To find, then, that no less than 190 gentlemen had voted last night for the passing of these measures, without any evidence to shew that they were necessary, had, he must say, filled his mind with horror, shame disgust, and he would add indignation. That so many gentlemen could be found thus to surrender to ministers the liberties of Ireland, must be matter of surprise with every man who had any regard for public freedom: for these measures involved a sacrifice of the very bulkwark of liberty; and what must the public think of those ministers and their adherents, who would thus tamely surrender the constitutional privileges of the people? He hoped the people would bear in mind how they had been treated on this occasion. The meeting of parliament had been postponed to an unprecedentedly late period and when it was assembled, they were addressed by a Speech from the throne remarkable for its omissions with respect to the state of the country. One-fourth of that Speech related to the affairs of Ireland; and it spoke of that country in such terms, as must render it impossible for any one who had read the passage to believe that Ireland was in that state of outrage and rebellion which the noble lord had described. That the people of that country should be up in arms—that they should have taken the field, as it were, against the military force—in short, that they should be in a state of open rebellion, and yet that his majesty, at the opening of the session, should speak of them as he had done, was to him quite inconceivable. His majesty said, that "a spirit of outrage, which had led to daring and systematic violations of the law, had arisen, and still prevailed, in some parts of the country." But outrage and systematic violations of the law, were very different from rebellion, and were perfectly distinguishable from what the noble lord had described. The papers which had been presented to the House (and they were the most meagre, the most unsatisfactory things that could possibly be conceived, on which to found any measure) did not support the sweeping statement of the noble lord. But, if the country were in a state of rebellion, it was in that state, as was observed by a noble lord (Mountcharles) who was generally a supporter of ministers, and whose authority was

therefore entitled to consideration, in consequence of the negligence and the apathy of his majesty's Government. The noble representative for Donegal had told them, that this state of outrage had continued for months, and that if ministers had called parliament together in October or November, much mischief would have been avoided, and much bloodshed been spared. If that were the case, who was accountable for the state of rebellion in which the noble lord described Ireland to be? None but himself and his colleagues. And, were these the individuals to whom the House, in its confidence, would intrust these powers? Were these the persons whom they were bound to believe, when they declared that those powers were necessary? Besides, these remedies were not applicable to the state of things which the noble lord had described. With respect to the Habeas Corpus Suspension act, he could not see how it applied in any way whatever to the situation of Ireland as described by the noble lord. Indeed, the noble lord had not said that it did apply. His observation was, that a state of things might possibly occur, in which the operation of such a measure would be useful. Was, then, the Habeas Corpus act of so little importance, that it was to be dispensed with, in expectation of some contingency, and in the absence of any adequate cause for its suspension? Was it of so little consequence, that parliament might suspend it as a measure of anticipation? One hon. gentleman had stated, that he considered the Insurrection act a very proper measure, but that he looked on the Habeas Corpus Suspension act as improper and unnecessary. But that gentleman had added, that he would support the latter, because he approved of the former, and he did not like to divide his votes. This was the way in which such incongruous measures were carried. There was no evidence whatsoever of the existence of rebellion. Where was it to be found? Certainly not in the King's Speech, nor in the papers on their table. But, if disturbances existed in some small districts, was that to be advanced as a sufficient reason for suspending the liberties of the whole people of Ireland? His right hon. friend had said that he would not oppose these measures if they were called for by the marquis Wellesley. Now, to the assertion that the marquis Wellesley had called for those powers, he would give the answer which an hon. gentleman had given last night, namely, that he did not believe the marquis Wellesley wanted such powers to be placed in his hands by parliament. If he had requested them, they would have been favoured with some evidence to prove that such was his wish. It would, indeed, have been the manifest interest of ministers to lay that evidence before the House. But the spirit of the noble lord's observations, and the statement contained in these papers, would bear the inference, that the noble marquis did not desire these powers, and that he did not conceive the country to be in a state of rebellion. This was a plain view of the case; and he could never agree to concede such extraordinary powers to the Crown, or indeed any powers whatever, on the mere *ipse dixit* of a minister, which was nothing more than air, and might be uttered at one moment and forgotten the very next. The temper and character of the marquis Wellesley had been frequently alluded to as an argument for fearlessly intrusting those powers to his hands. This argument had no weight with him. Power was a very tempting possession; and it had always been found that, when individuals were invested with extensive authority, the more they had, the more they wished to have. The active and ardent mind of the marquis Wellesley was precisely of that description which delighted in the acquirement and exercise of power: and it should not be forgotten that, at one period, he enjoyed despotic power. He had, it was true, ran a very brilliant career; but that circumstance did not lessen the danger of intrusting him with absolute authority. Buonaparte had also run a brilliant career; but he was a great tyrant. The splendor of his achievements might be admired; but, would any one be inclined, on account of that splendor, to clothe him with despotic power? The mind of the marquis Wellesley was of that lofty description, his character was of that determined nature—which might lead him to render his already brilliant career still more brilliant, by the exercise of despotic power. Such power, in his opinion, ought to be confided to no person; and least of all was it calculated for such a man as the marquis Wellesley, who, from his long habits, would perhaps be the most anxious to possess it. He meant nothing disrespectful to the noble marquis; but he thought he had shown that the reasons given by his right hon. friend for

freely conceding those great powers to the head of the Irish government were not valid ones. He recollected, in the early period of his parliamentary life, that the mode, in which the noble marquis had formerly exercised power, became the subject of inquiry in that House; and he must say, that the manner in which he appeared to have used his authority was not of such a nature as would tempt him to place power in the hands of that nobleman again. Transactions, it appeared, had taken place in India—transactions with which the marquis Wellesley was intimately connected—which could not be remembered without exciting feelings of pain. Never could he forget the line of conduct which the noble marquis pursued towards the unfortunate princes who came within his grasp, and towards the unfortunate countries which he subjugated for the East India Company. His proceedings with respect to the Nabob of Oude, the Nabob of the Carnatic, the Peishwa, and other princes, were memorable instances of the gross abuse of power, and of the greatest cruelty. His conduct partook of the spirit which distinguished the proceedings of all those who were possessed of despotic power. The same conduct was pursued by Buonaparte, when he wielded the power and resources of France, towards all the governments which he subjugated. Having acquired this knowledge of the noble marquis's conduct in India, he confessed that he did not feel very willing to place those extraordinary powers in his hands. He had, he believed, stated his sentiments in a parliamentary way; and he thought he had said enough to show, that there was nothing in the conduct of the noble marquis to justify the House in placing these exorbitant powers at his disposal.—Another point of argument had been used on this occasion, which appeared to him to be equally fallacious; and it, too, rested on personal character. The noble lord had told them that the Insurrection act was drawn up and prepared by Mr. Plunkett, the present Attorney-general for Ireland, and formerly a member of that House. It was said, that, as he had sided on many public questions with those who opposed ministers, therefore, his authority must have considerable weight, in proving that government were actuated by a just and liberal spirit. But this authority also failed; for two years ago, when the celebrated six acts were passed, he recollected the definition that learned gentleman gave of liberty. He stated, that "liberty was the power of doing that which the law enabled a man to do;" under which definition the Turkish, the Hindoo, the Algerine people—but not the people of Ireland, when the Habeas Corpus act was suspended—would enjoy as much liberty as the people of England, notwithstanding all the securities and safeguards with which our forefathers had surrounded our rights and privileges. That learned gentleman, thinking, perhaps, that the people of England had too much liberty, treated them with the Insurrection act. With the respect to the application of these laws, not one individual amongst those who supported them could show how they applied to the state of the country. They wanted something, it seemed; and they were willing to put up with these bills, without troubling themselves about the efficacy of their operation. It was melancholy to see the House of Commons brought to this situation—that in the absence of all reason and evidence, at the mere beck and invitation of the minister, they were willing, on the preceding night, to force these bills through all their stages. The House was now running a career most fatal to the country. Viewing, with feelings of alarm, the inroads which were daily making on the constitution, he should oppose both these bills, but most particularly that which suspended the Habeas Corpus act.

The Marquis of *Londonderry* said, the noble lord had thought fit to assert, that the declaration of a minister of the Crown, in his place in parliament, was not to be received as evidence—that the House ought not to legislate upon it. He, however, begged leave to combat that position. A minister of the Crown making a statement in his place, and pledging his official responsibility for its accuracy, was as liable to be challenged and impeached, if his statement were incorrect, as if he had laid a false dispatch on the table of the House. If a minister could so far forget himself as to assert that which was not matter of fact, his conduct would deserve the severest animadversion, and would be justly visited by the contempt and detestation of mankind. And surely the man who could have the hardihood to proclaim a false fact to the House, would be equally capable of forging a dispatch. He, therefore, questioned the noble lord's constitutional authorities on this subject. This

was not the first time the noble lord had manifested a disposition to form a contrast with those whose principles he generally advocated; and that evening he had exhibited a most notable contrast to the gentlemen around him. He appeared to have risen more for the purpose of attacking the marquis Wellesley, than of imparting any information to the House. Now, he would, in a few words, state how the facts stood to which the noble lord had alluded, and he would then leave them, like other facts in our history, to carry their conviction with them, perfectly convinced that the character of the noble marquis would not suffer in public estimation thereby. It was matter of notoriety that parliamentary proceedings relative to the conduct of marquis Wellesley were instituted some years ago. He did not know whether the noble lord was the prosecutor in his own person on that occasion, or whether he was the associate of an individual of the name of Paull, who had found his way into that House. The marquis Wellesley had, at that time, terminated his brilliant career in India. He had returned crowned with laurels from the seat of that government which he had so long and so ably administered, and he had brought with him the love and admiration of all who had witnessed his exertions. He found, however, on his arrival here, that instead of sitting down to enjoy the well-earned fruits of his honourable labours, he had to travel through a long investigation of his conduct, at the instance of the individual whom he had just named. Considerable delay in consequence intervened before he received that homage which was justly due to his talents and integrity, and which he did ultimately receive, in spite of all opposition. He believed there never was an accusation brought within the walls of that House which imparted more painful sensations to men of dignified feelings; nor one, the defeat of which was hailed with greater pleasure. The noble lord had applied the word "cruelty" to the conduct of the marquis Wellesley: but he would assert, and he would appeal to the right hon. baronet who sat on the noble lord's right, whether the noble marquis was not the last man in the world to whose conduct such an epithet ought to be applied. The noble lord afforded a solitary instance of a desire to promulgate opinions which were at variance with those held by all other men. To-night, while all those around him were warm in their admiration of the public and private conduct of the marquis Wellesley—when they appeared almost ready to confide supreme power to him—the noble lord stood forward to attack his character. He congratulated the noble lord on the solitary distinction which he had acquired—a distinction, in the enjoyment of which he was sure no person would disturb him. With respect to the objections of the right hon. baronet, it was fitting that he should make an observation or two. The right hon. baronet said, he would rather pass the Martial Law bill than the Insurrection act. What was the Martial Law bill? A measure that applied to all Ireland; and was therefore unlike the Insurrection act, which remained inoperative, unless it was put in force on the application of seven magistrates. The Martial Law bill was only applicable to a state "flagrante bello;" whereas, the Insurrection act was applicable to a country, a part only of which was in a state of insurrection. To that part its provisions could be applied, when the magistrates called for it, while the other portion of the country, which was in a peaceable state, were not affected by it. The reverse was the case with the Martial Law bill. Martial law was the suspension of the Habeas Corpus into the bargain. It was the suspension of the Habeas Corpus placed in military hands. The functions of the King's-bench were placed in the hands of military officers. It was, therefore, a suspension of the Habeas Corpus of the worst kind. He was not disposed to take this flight with the right hon. baronet, and to trust the execution of the laws to marching regiments, rather than to the judges. Whatever gloom of mind or exaltation of confidence influenced the right hon. baronet in bringing him to the conclusion that the whole of Ireland ought to be handed over to marching regiments, he could not participate in his conclusions. A more temperate and more judicious course had been chosen. He could conceive a case in which military law ought to cover the face of the country; but this was not such a case. He was, therefore, as little disposed to concur with the right hon. baronet for resorting to military law, as he had been last night to agree with an hon. and learned gentleman in conferring absolute power on the noble lord at the head of the Irish government. The suspension of the

Habeas Corpus act had never been intended to apply to acts of outrage and rebellion. He had stated the evil to which it was a corrective, and the only corrective. It was not for rebellion in the field, but for cases where emissaries were inflaming men into rebellion. In such cases, it was the only mode of saving the country from their pernicious labour. He therefore did not lament that lord Wellesley had come to the decision of not applying for martial law. It had formerly been of great utility, but it was not the proper measure for the present exigency.

Dr. *Lushington* said, that in whatever view he contemplated this obnoxious bill, he never could recognize the necessity for its enactment, nor believe that it was calculated to work the result which its supporters anticipated. It was, in the first place, very extraordinary, that the noble marquis, on the discussion of the King's Speech, had not betrayed the slightest indication of the measures proposed. He would go further, and state his belief that, up to Tuesday night, the noble marquis had not made up his mind on the subject. But last night the noble marquis was determined; he proceeded to the accomplishment of his object with a diligence not, as it would seem, proportioned to the necessity of the case, but to the expedition of the engrosser. If the urgency was so pressing in the minds of the king's ministers, how came it that no order had been given to the clerk to take a copy of the bill from the Statute-book. It was impossible, therefore, for him not to doubt the necessity for such a bill, even from the conduct of the noble marquis himself. But, after he had determined on the measure, what had the noble lord done to induce the House to accede to it? He had referred it to the papers placed on the table, and to a justifiable confidence in the character of the marquis Wellesley. With respect to the papers, he would admit that they contained information of outrages in different counties of Ireland. To check such acts of insubordination some remedial measures were admitted to be necessary; but he never could believe that either prevention or remedy could be found in an Insurrection bill, or any bill of a similar tendency. Far better, in his contemplation, would be the prompt interposition of the constitutional tribunal of those special commissions which should be forthwith assembled at Limerick, Cork and Tralee, prepared to proceed to the trial of all those criminals which the military force should bring in, and thus vindicate the power of the law by the immediate conviction of its transgressors. With such commissions sitting in the respective districts, and the military force actively employed, the public security might be maintained, and all those violations of the liberties of the subject avoided. His right hon. friend (Sir J. Newport) was contented to give to the lord lieutenant all the powers necessary to remove the existing evils. To that extent he was not prepared to go: he could not, either on the evidence contained in the information on the table, or in any confidence in the marquis Wellesley, consent to pass the two bills at present under discussion. And here he must be allowed to advert to the animadversions which the noble marquis opposite had cast so unjustly on his noble friend's (Folkstone) conduct that night. In every word that his noble friend uttered he agreed. When the noble marquis opposite arraigned his noble friend for his hesitation to confide extraordinary powers to the marquis Wellesley, did it escape his recollection, that the conduct which his noble friend arraigned, had been made the subject of impeachment, censure, and blame in the House of Commons. If the noble marquis's memory failed him on that point, he begged to remind him, that he himself had heard the same opinion supported by the late sir Samuel Romilly, in as able, as powerful, and as eloquent a speech, as was ever heard within the walls of parliament, and ending in the condemnation of the conduct of lord Wellesley. The same conviction was entertained by Mr. Whitbread, Mr. Sheridan, and Mr. Windham. If, then, his noble friend was in error, he was in error with names as distinguished as ever graced, or ever would grace the roll of parliament—men whose very presence amongst them had retrieved the character of the House, when other recollections of its proceedings had merited reprobation. When therefore, the noble marquis threw out his animadversions on his noble friend, he (Dr. L.) had a right to revert to the facts, in order to repel them. It had been his duty, in reference to those proceedings to have put a question to Mr. Sheridan. That question had for its object, to learn from him whether or not he had abandoned the farther proceedings on his motion relative to the marquis of Wellesley. The answer he gave was, that though he

retained all his former opinions, he did not mean by proceeding to run the risque of dissolving the Grenville administration. The conduct of Mr. Sheridan on that occasion he considered extremely culpable, as well as that of the administration; believing, though politically attached to that party, that it was a compact between the constituent parts of that administration, to screen, at all events, the marquis Wellesley. That determination he had then, as he did now, arraign. Out of power it was all vigour, zeal and energy in support of the charges, when in place, these qualities were exchanged for coldness, apathy, and oblivion. No political predilections could induce him to approve of such a line of conduct. The opinions he then entertained as to certain parts of the conduct of the marquis Wellesley in India, he now retained. Giving him the fullest credit for vigour, talent, and energy, he still was disposed to contend, that the noble marquis had overlooked the obligations of public faith in the brilliant prospects of extended dominion; and therefore it was that now he would not consent, on the personal credit of the lord lieutenant of Ireland, to invest him with extraordinary and despotic powers. In the name of every constitutional principle he would ask, whether such alarming powers ought to be vested in any man on personal confidence?—powers which surrendered the whole administration of justice in Ireland to an arbitrary decision —without any ability of investigation, and with the moral certainty that a bill of Indemnity was the certain and undisputed consequence even of an oppressive abuse? He would give credit to the inclinations of the lord lieutenant strictly and truly to discharge such a duty, but in the many and various claims upon his official attention, it was almost impossible that he could in every instance have the means or the power to exercise a sound discretion. He would call to the attention of the noble marquis opposite, a case to which the noble marquis himself was a party; innocently he was convinced, but which, in the distractions which agitated Ireland, illustrated the impossibility of preventing the abuse of extraordinary powers. The case he alluded to, he had from the most respectable authority—from the son of the gentleman who had been nearly made the victim of the mistake. The son had heard that his father, a Roman Catholic, a man of high character, and a property of 5,000*l.* a-year, was about to be arrested on a warrant for high treason, signed by the noble marquis himself. On hearing of such intention, the son proceeded to Dublin, and made the necessary inquiries at the castle. He was there assured that he was misinformed, as there was no such intention. The warrant was, however, signed and issued, and was about to be executed, when the son again set out for Dublin, and was at length obliged to obtain a warrant, to set aside the original warrant signed by the noble marquis himself, in mistake. Here, then, was an instance where a respectable individual was near being subjected to all the miseries of an Irish gaol. With respect to the magistracy to whom these bills gave such unlimited power, he would implore the House to reflect on the information it had received from those best qualified to afford it. Would they, after all they had heard, confide such laws to the persons invested with that authority? He would ask the noble marquis, or the late secretary for Ireland, whether it was not a fact, that a murderer of the name of Scanlan, was not only not taken into custody after the perpetration of his crime, but was actually known to have been in the company of the magistrates of Limerick, although his crime was notorious and his person was identified; moreover, that he was suffered to remain at large, until by the zeal and activity of the hon. member for Limerick, the criminal was arrested and convicted? He would ask further, whether the accomplices of the murderer were not permitted to escape? Besides, when he heard such a character of the Irish magistracy, from Irish members, how could he consent to entrust the execution of such laws to such instruments? But then the noble marquis interposed, and assured the House that he had a palliative! The trial by jury, that sound so dear to the ears of Englishmen, had no attractions for Ireland. The noble marquis was ready with his king's serjeant, which was to stand in its stead for ever and for aye. What an Irish serjeant might be he knew not, as he never saw one; but, with all due respect to his majesty's serjeants-at-law in this country, he would rather entrust his life to any jury that could be collected in England, than to any serjeant amongst them. It was not that they were not honourable and learned men, but that,

thus selected, they must be influenced, in some degree, by a political bias, from which it was not in human nature to divest themselves. It was not presuming too much to think, that if by their decision eight or ten poor Irish peasants were transported improperly, such an exercise of their discretion would be overlooked in the character they would acquire for vigour and activity in enforcing the provisions of the law [hear, hear! from the ministerial benches.] He would ask those from whom the cry came, whether the experience they had had of legal promotions, even in this country, did not justify that conclusion? He agreed with the noble marquis, that it would not be consistent to blend any conciliatory measures with these penal acts. But, he, at the same time, implored the noble marquis to carry his reflections to the unfortunate extent to which the spirit of insubordination and outrage had so frequently arisen in Ireland for the last thirty years, and that at length the period had arrived, when the most searching investigation into the causes of these desolating ebullitions of popular outrage should take place. Let him not be told of the difficulties that interposed. Doubtless, there were difficulties arising from causes beyond human control, such as pestilence and famine, which could not be prevented, but in the political world there were no difficulties with which human reason could not contend. The state of Ireland had never been investigated; and it was the want, or the postponement, of such investigation that aggravated all the evils under which Ireland suffered. He would ask the noble lord, whether the marquis Wellesley had asked for these bills whole and entire? Or whether, if modified by some clauses, as to the intervention of juries, the same beneficial results might not follow, as its supporters expected from its adoption?

Mr. *Lockhart* could not agree, that to pass these bills was to sacrifice the constitution of this country. The constitution was already sacrificed in many of the districts of Ireland under the most aggravating circumstances, by those against whom the measures were directed. These persons had set at defiance the constitution, by secret nightly meetings, and by carrying fire and sword into the dwellings of defenceless innocence. The measures might not be exactly what many hon. members might wish, but if their merits overbalanced their defects, that that was sufficient in such cases. With respect to the loss of the trial by jury, it should be remembered that if means of intimidation had not been resorted to, that would not be necessary. But he did not see any ground for jealousy of the hands into which the power was to be entrusted, as, unless the lord lieutenant, the king's serjeant, and the bench of magistrates conspired together, the liberty of the subject could not be endangered.

Mr. *Spring Rice* said, that if the right hon. baronet had given his authority to the bills, he would have yielded to that authority; but the right hon. baronet had rested his assent on his confidence in the head of the Irish government. Now, he neither joined in this confidence, nor disclaimed it. Facts and circumstances, and not confidence in any man or set of men, formed the ground of his conduct. He admitted the pressure of the evil, but the Suspension bill was not at all applicable to it. The Insurrection act, if modified, might be found a remedy. If no jury could be found to act, he would have voted for the bill as it was. But juries had acted and done their duty at Limerick. On the bringing up of the report, he would propose a clause to enable the king's serjeant to admit to bail. He would also propose a clause to enable the crown to authorize persons in remote or detached districts to act as justices of the peace. With respect to juries, he would propose to commit the alternative of trying by jury or not to the king's serjeant, who was divested of local passions and animosities.

Mr. *Calcraft* felt it necessary to state, the reasons upon which his vote would be founded. He had yesterday come down to the House with a strong bias upon his mind on this question; and, from all that he had since heard, he felt it his painful duty to state, that, however he might be compelled to differ from many of his friends, he should compromise his judgment if he declined to support the proposed measures. He must say, that in the many eloquent speeches which he had heard upon this question, gentlemen dwelt much upon the horrors of the Insurrection act, and the unconstitutional doctrine of suspending the Habeas Corpus act, while they kept out of sight the barbarous atrocities which made such measures necessary. He admitted that both measures were unconstitutional; but

the question was, whether recourse must be had to those remedies most applicable to the disorder, or whether they were to allow the continuance of outrage, a massacre, and the dissolution of society? He thought the proposed measures not only proper, but the best calculated to effect the objects in view. Some gentlemen had advocated the introduction of martial law into Ireland. Now, he considered martial law, not only more expensive, but by far more arbitrary than the proposed bills. Compared to martial law, the operation of the Insurrection act was mild and gentle. He was glad that his right hon. friend (sir J. Newport) had withdrawn his opposition to the present measures; for, had that right hon. baronet continued to oppose them, he should have doubted much his own opinions to the contrary. He had some acquaintance with gentlemen in different parts of Ireland, and he could not, from his knowledge of them, help expressing his surprise at the sweeping censure which had been cast upon the magistracy of that country. No doubt there were in Ireland, as well as in this country, some persons in the commission who were unfit to hold such a situation; but he could not see any reason why the confidence of the country was to be withdrawn from those gentlemen, merely because they had the misfortune to have in their body some few who were a disgrace to them. It was truly stated, that an absentee gentry was the misfortune of Ireland; but the evil would not be cured, if, when murder, outrage, and rebellion were at the doors of the Irish gentry, parliament were to turn upon them, and say, "We know you are threatened; we know you are in danger; but then we cannot entrust to you the enforcement of the necessary remedy; we do, in fact, think you unworthy of our confidence." Here was encouragement for residence in that country—here was the reward of those gentlemen who resided on their estates; and who, by so doing were placed in hourly danger of their lives and properties. He hoped the House would not thus withdraw its confidence from a set of gentlemen possessing as much integrity, as much perseverance, as much courage as any gentlemen in the country. He could never bring himself to believe that a nobleman of the marquis Wellesley's high character and love of fame, would commence his career in that country by the improper exercise of measures which would tarnish his whole public life.

Mr. *Lamb* said, he was inclined to support the proposed measures, upon the ground of the confidence which he reposed in the open statement of ministers. He had heard gentlemen say, on former occasions, that nothing was more abominable than any proposal to parliament upon secret papers, or a sealed bag. It was said, that ministers ought to ask for additional powers upon their own responsibility. This was his opinion; and he was ready to support the proposed measures from his confidence both in ministers and in the noble lord at the head of the Irish government. He did not agree in the allusions thrown out against that noble lord at an early part of the evening, though it was not his intention at that moment to enter into a defence of the noble lord's conduct in India. This, however, he must say, that that noble lord was not more distinguished for energy of character, than for a zealous and ardent love of public liberty and an anxious desire to advance the interests and happiness of that part of the empire committed to his care. Much, however, as he esteemed and respected that noble lord, he was not, in this instance reposing in him a confidence greater than he should be inclined to bestow upon any other lord lieutenant placed in the same situation, and to whom he had no reason to object on other grounds. He had heard from the gentleman who represented the sister country, that a present and efficacious remedy was necessary, and that, therefore, they should not delay the proposed measures. With respect to the melancholy situation in which Ireland was now placed, and the conclusions to be drawn from that situation, he fully concurred in what had fallen from several hon. gentlemen last night. Many severe reflections had been made upon the noble marquis opposite respecting the government of Ireland. It was true that as far as the evils were known to exist, and the remedies were within the power of the noble lord, he was responsible for not having applied them. But it should be recollected, that evils often took their rise from circumstances, over which neither the noble lord, nor the laws, nor the parliament could have any immediate control. They were told, in the present instance, that bad government and misrule, that bad laws and bad institutions, had produced the present character of the deluded

people of Ireland. Whatever might be the cause, they were all agreed as to the effect. And it should be remembered, that when the character of a people became so corrupted, the evil was so indelible, and as difficult to be eradicated as if it were their original character. It was certainly the duty of parliament to use its best efforts to put an end to the present disturbances, by removing the evils which caused them; but Irish gentlemen should at the same time recollect, that much, very much depended upon their own exertions. Indeed, they must know, that without their efforts it would be difficult, if not impossible, totally to eradicate the disease. It was not uncommon to find persons who looked to others as the cause of their errors, and in doing so they looked to them also for what they could not give —a remedy for those errors. The principal causes of the present disturbed state of Ireland were, the middlemen who held lands between the proprietor and cultivator, and the newly introduced laws of election. But there were evils for which neither England nor parliament were responsible. If Irish gentlemen were so anxious to sit in parliament that they cut up their properties into forty-shilling freeholds to create votes, and thereby surrounded themselves with paupers, how were the legislature or the government of this country to blame? If this were the case, it only proved that a law which was productive of great benefits in one country might be productive of much mischief in another. He threw this out as a general observation, without meaning to cast censure in any quarter. He was only anxious to shew that even from the wisest and best laws, no advantage could be derived unless by a sound and temperate administration of them.

Mr. *Hutchinson* said, he must repeat what he had stated last night; namely, that no case had been made out to justify either of the present measures. What he should recommend would be an increase of military force. The hon. member here read several extracts from the dispatches of marquis Wellesley, in order to shew, that in all the contests between the people and the soldiery, the latter, though twenty-fold greater in number, uniformly gave way and fled. From this he argued, that nothing but an increased military force was necessary to suppress the outrages altogether. God forbid that, in saying this, he should be thought to under-value the lives and properties of the peaceable inhabitants of the disturbed districts in Ireland! He was aware that they were in much peril; but he thought they would derive greater protection from an increased military force than they could do from the proposed measures. He was convinced that the suspension of the constitution would never have the effect of restoring Ireland to permanent tranquillity. If the noble lord was really anxious to eradicate the evils of which he complained, he must have recourse to earnest inquiry and sincere conciliation.

Colonel *Davies* was of opinion that the present bills were necessary to put down the existing disturbances; but when that effect was produced, he thought they ought to be followed up by investigation and conciliatory measures.

The bill then went through the committee. On the report being brought up, Mr. Spring Rice, moved that the words of the bill "shall proceed without any grand jury, and without any bill being found," should be omitted. This was put and negatived. He then moved, that the following words be also left out of the bill —"In such case where conviction, or judgment, or acquittal shall be had without the verdict of any petty jury, it shall stand good, as if the grand jury had found a bill, and a petty jury had pronounced upon it." This proposition was also put and negatived. The hon. member next moved for the insertion of a clause, authorizing the magistrates, under the special commissions, to issue their warrants to the sheriff, who should be thereby authorized to issue out his precept for summoning fit and proper persons for a petty jury, the same as were summoned to courts of oyer and terminer, and that the sheriff be bound to attend the sittings of the special court in the same manner as if it were a court of general sessions of the peace. The other parts of the clause went to establish a regulation for the sitting of the court from day to day, and for the greater facility of taking bail for parties accused.

The Marquis of *Londonderry* opposed the clause, and observed that it was understood the sittings of the commission should be from day to day, and that the difficulty respecting the taking of bail could not be so great as the hon. member had stated it to be.

Mr. *S. Rice* said, he had attended every court of special commission in his county and had found that delays of days, weeks,

and in one case a month had taken place. Now, as by the present act bail could only be taken by the king's serjeant who should preside, a man against whom, perhaps, only a charge of being out of his house after a certain hour was brought, might be kept without bail for two or three weeks. Upon the adoption or rejection of the clause depended, whether the trials should be by the magistrates without a jury, or by a jury alone.

On the question being put, "that the words be there inserted," the House divided: Ayes, 30. Noes, 139.

List of the Minority.

Bright, Henry	Hutchinson, hon. C. H
Benett, John	James, W.
Brougham, H.	Lennard, T. B.
Burdett, sir F.	Lushington, Dr.
Creevy, T.	Lambton, J. G.
Clarke, hon. C. B.	Martin, John
Denison, W. J.	Macdonald, J.
Duncannon, visc.	Madocks, W. A.
Ellice, Ed.	Nugent, lord
Fitzgibbon, hon. R.	Robinson, sir G.
Fergusson, sir R. C.	Rice, T. S.
Folkestone, visc.	Sefton, earl of
Honywood, W. P.	Wood, ald.
Hill, lord Arthur	TELLERS,
Hughes, W. L.	Bennet, hon. H. G.
Heron, sir R.	Wilson, sir R.
Hobhouse, J. C.	

On the motion for going into a committee on the Irish Habeas Corpus Suspension bill, the House divided: Ayes, 127. Noes, 36. The bill then passed through the committee. On the motion, that the Irish Insurrection bill be read a third time,

Sir *F. Burdett* expressed a hope that ministers, before they passed it, would pledge themselves to the Irish nation to pursue a conciliatory line of policy in future, and not to introduce a bill of indemnity, to shelter the outrages which might be committed under it.

Mr. *Denman* said, that the bill contained a clause which was equivalent to a bill of indemnity. He then proceeded to observe upon the precipitancy with which the bills were forwarded through the House, by which members who expected an exposition were taken by surprise. It was certainly the first duty of parliament to put down insurrection, and repress the violence of men who were misled by their own passions or those of others; the only question was, whether the present measures were applicable to the case, or whether other measures more effective to that end and less mischievous to the constitution might not be adopted? For his part, he had not heard a single argument to show that the abolition of the trial by jury was called for. On the contrary, the argument of the hon. member for Limerick was, in his opinion, conclusive against the abolition. There was another point to which he wished to call the attention of the House. The presence of a king's serjeant or king's counsel was considered by the supporters of the bill as calculated to neutralize the mischief of placing power in the hands of the ordinary magistracy; but the phraseology of the bill was, that a king's serjeant, or a king's counsel should preside at the quarter sessions, "if such could be procured." If, therefore, such an individual could not be procured, then the magistrates would act without the control of any legal adviser whatever. Had he been in time to propose such an amendment, he would have recommended the introduction of the words—"or Barrister of ten years standing;" by which provision the magistrates would always have had the benefit of good legal advice. As to the assistant-barrister, as there was only one in each county, and as different courts might be simultaneously sitting in different parts of the same county, some of those courts must in that case be necessarily deprived of his aid. With respect to the noble marquis at the head of the Irish government, he was not disposed to show less confidence in that noble individual than had been expressed by other hon. members; but he must say, that parliament had been left strangely in the dark with respect to that noble marquis's precise wishes on the subject. The argument of his hon. friends near him had been misrepresented, as if they had recommended the adoption of martial law in Ireland. All that they advised was, that a larger military force should be applied to the correction of the existing evil. When a proposition was made, such as the present, attention ought to be paid, first to the necessity of the case, next to the applicability of the means proposed to meet it, and lastly to the danger of an abuse of those means. To him it appeared, that any new legislation on the present occasion was uncalled for. To what was the existing distress in Ireland attributed? To two circumstances—namely, that the fuel had been washed away, and that the crop of potatoes had failed. Had those

two unfortunate occurrences not taken place, it was not probable that any political or religious feeling would have disturbed the country. Now it appeared to him, that, whenever any insurrection was divested of all political or religious character, it was precisely the kind which ought to be put down by the arm of military power, and that it ought not to be made the subject of legislative interference. If, however, the present bill must pass, he hoped to God that it would prove effectual.

The *Attorney-General* said, it was agreed on all hands, that the state of Ireland was such as to require vigorous measures of some kind or other. The hon. gentlemen opposite seem to think that the application of an additional military force was the best remedy that could be adopted. For himself, he thought, that however all might deplore the necessity of such a measure, the best course was, to renew an act from which the most beneficial effects had formerly resulted. In answer to that part of his learned friend's speech, in which he asserted that several courts of magistracy might be sitting simultaneously in the same county, he begged to refer him to the bill, in which he would find that only one special session could sit in a county at one time. At that session, therefore, either a king's serjeant or a king's counsel, or at least an assistant barrister, who must have been six years at the bar, would preside, and give to the magistrates the benefit of his legal knowledge. As to the question of indemnity, the bill gave no greater indemnity than the general law in England already involved.

Mr. *Brougham* said, his learned friend had stated, that the clause in question gave no more protection to the magistrates in Ireland than was already given to him by the law in England. If this was the case, there could be no harm in leaving out the clause altogether.

The *Attorney-General* said, that in England this power was given to the magistrates by a specific act of parliament; but it was not so in Ireland.

Mr. *Brougham* was surprised to hear that magistrates in Ireland had been left so unprotected as to make this special provision necessary.

Mr. *Bright* contended, that an act by which the constitution was overturned for the time, ought to be so worded as to admit of no doubt whatever with respect to its construction. He considered the clause of indemnity as monstrous in its nature. It was most material also, that when such powers were given to the judges, the people should have no reason to suspect their purity. It appeared by the bill, however, that after the trials of the miserable wretches who were its objects, the lord lieutenant was to issue any sum he pleased in payment of the assistant barristers. Instead of that, the sum ought to be fixed; for there ought not to be even the slightest suspicion of undue influence.

The *Solicitor-General* did not understand that the government was to provide for the attendance of a king's serjeant, or counsel; but, if he happened to be there, he was to preside. If neither was there, then the court would be formed by the magistrates and the assistant barrister. By the constitution of the courts of Ireland, the assistant barrister, in such a case, would preside; and, therefore, any further provision on this subject was unnecessary.

The bill was read the third time. Mr. S. Rice proposed a clause, "authorizing the king's counsel or serjeant, and assistant barrister, to take bail for offences under the act." The clause was rejected. The hon. member then moved a clause, "for appointment of justices in counties of cities, and counties of towns."

The Marquis of *Londonderry* declared his dislike to the principle of creating a local magistracy, for a temporary purpose.

The House divided: Ayes 31. Noes 110.

List of the Minority.

Bury, visc.	Hume, Joseph
Bright, H.	Honywood, W. P.
Brougham, H.	James, W.
Burdett, sir F.	Lambton, J. G.
Bennet, hon. H. G.	Moore, Peter
Barret, S. M.	Nugent, lord
Calvert, C.	Phillips, G. R.
Denman, T.	Robarts, A.
Ellice, Ed.	Robarts, col.
Fergusson, sir R. C.	Ricardo, D.
Folkestone, visc.	Robinson, sir G.
Hutchinson, hon. C. H.	Smith, W.
Hurst, R.	Wyvill, M.
Hughes, W. L.	Wilson, sir R.
Hill, lord A.	TELLERS,
Heron, sir Robert	Rice, T. S.
Hobhouse, J. C.	Duncannon, visc.

Mr. *Denman* then proposed to omit the clause for the indemnity of persons carrying the Act into effect. Upon which the House divided: Ayes 30. Noes 109.

On the motion, that the bill do pass, the House divided. Ayes 109. Noes 28.

List of the Minority.

Brougham, H.	James, W.
Burdett, sir F.	Lambton, J. G.
Barrett, S. M.	Moore, Peter
Bennet, hon. H. G.	Nugent, lord
Calvert, C.	Ricardo, D.
Duncannon, visc.	Robinson, sir G.
Ellice, Ed.	Rice, T. S.
Folkestone, visc.	Robarts, A.
Fergusson, sir R. C.	Robarts, col.
Heron, sir R.	Wood, alderman
Hobhouse, J. C.	Wyvill, M.
Hurst, Rt.	Wilson, sir Rt.
Hughes, W. L.	TELLERS.
Hill, lord A.	Denman, T.
Hutchinson, hon. C.H.	Bright, H.
Hume, J.	

On the motion, that the Irish Habeas Corpus Suspension bill be read a third time, the House divided: Ayes 109. Noes 27.

HOUSE OF LORDS.

Saturday, February 10.

STATE OF IRELAND.] The Irish Insurrection bill, and also the Irish Habeas Corpus Suspension bill, were read a first time, after which, a motion, made by the earl of Liverpool, for the Suspension of the Standing Orders, No. 26, and 105, was agreed to.

The Earl of *Liverpool* rose, to move the second reading of the Irish Insurrection bill. It was, he said, with the deepest regret, that he came forward to state the existence, in any part of the United Kingdom, of a state of things which required the exercise of the powers given by this bill — powers which had never been entrusted to the government of this part of the British empire, but which had unfortunately, on more than one occasion, been found necessary in Ireland. The measure was founded on one which had been formerly adopted; and it was for their lordships to consider, whether the bills now before them, or something equivalent to them, were not necessary. The papers on the table contained the proofs of the necessity of these bills. But, were there no papers on their lordships table, he should have little difficulty in showing, from the outline of facts, so notorious as those which the state of Ireland presented, that their lordships were bound to grant to the executive government the powers conveyed by this bill. It was said, that their lordships ought to go to the source of the evil, and inquire what general remedy could be applied. That, of course, was a thing most proper to be done; but at a future time. When a house was in flames, the first object was, to extinguish them; the next, to consider by what means a repetition of the conflagration was to be prevented. At present, then, their lordships were called upon to examine, whether the extraordinary provisions of the measures submitted to them were necessary for the immediate object of suppressing insurrection; and whether it would be safe to delay the application of those, or of some such measures, in order to look for a more general remedy. With respect to the state of Ireland, he had said, on a former occasion, that there was nothing political in the nature of the present disturbances. This was a fact which could not be disputed. The disorders did not arise from discontent connected with any popular question, or from a spirit of hostility to the government. They had, indeed, no political object in view. Their origin appeared to be much deeper in the frame of society. It was impossible not to see, that the insurrection was one directed solely against certain property, and the lives of the owners of such property; and that it arose, in a great measure, from private feuds and dislike to individuals. But though it began in private views and in a spirit of dissatisfaction against particular persons, the spirit had widely diffused itself, and was in danger of becoming general throughout the country. This, then, differed from ordinary insurrections, in which, although property might suffer, it was only incidentally attacked; its destruction not being the direct object of the discontented. On the contrary, in the present, the attack was directed immediately against the property and the lives of persons who were in a higher station of society than the assailants. When he stated this as a matter of general notoriety, as a description of the state of things which could not be disputed, there could be no doubt in the mind of any man, that it was the bounden duty of parliament to employ the most prompt and effectual means for suppressing the disorders. Looking at the outrages which had been committed, though those of a more aggravated character were con-

fined to a particular part of the country, it was obvious that their tendency was to spread to every other part. This was felt in the most remote provinces. The insurrection was not, therefore, to be considered an ebullition of local discontent, or a disorder confined to particular districts: it appeared to be part of a connected system, which had its centre somewhere, from which it moved, and whose object it was, to spread in every direction. If the evil were local, or confined within narrow limits, a partial measure might be sufficient; but their lordships were not to look merely to the spots in which it now existed in an aggravated state, but its disposition to extend itself; and when they were satisfied that such was its character, they must necessarily admit, that the application of a general measure was indispensable. There certainly was no desire entertained by the executive government, either in this country or Ireland, to possess any extraordinary powers, if the effect of the ordinary exercise of the law could be relied on. The Irish government had indeed manifested at first a wish that the measures resorted to on a former occasion should not be renewed. After the disturbances in autumn last, the first measure which government thought of, after adopting those military precautions which the state of the country required, was, to bring some of the offenders to trial. This was done, and it was hoped that the executions at Limerick would have put an end to the disturbances. That expectation had been, however, unfortunately disappointed. The executive government of Ireland came, therefore, for an extension of powers, after having tried in vain all the ordinary means—after having found that the examples which were made of some leading offenders had not produced the wished-for effect. Under these circumstances, he proposed to their lordships that they should pass the bills before them. The one first in order came recommended to them by the consideration, that it was a measure sanctioned by experience—that it had already been tried and found to answer. The object of both was, the immediate suppression of the evil. Their lordships were not now called upon to grant powers the nature of which were unknown, for they were the same which it unhappily had been necessary to apply to the evil heretofore. It had been asserted, that the object which these bills had in view might be attained by an extension of the military force; but it was plain that, if the view he had taken of the nature of the evil was correct, an extension of military force would not meet it. With a military force, a large body of insurgents collected on any given point might be put down; but if there was reason to expect that the spirit was extending to other parts of the country, and that there was danger of its becoming general, then no measure could be successful, which was not in its nature preventive. It was necessary to put down the evil where it did exist, and to prevent its springing up where its seeds were sown; and a military force was not applicable to these different objects. It was not his wish that these bills should continue longer in force than the state of the country should indispensably require. But it was said, that measures of conciliation ought to accompany those of severity. It was, however, obvious, that the evil must be suppressed, before any thing could be proposed in the shape of a general remedy. When the proper time came for considering the state of Ireland, he would not shrink from the investigation, nor hesitate to give his opinion of the nature of the evil, and of the remedies which appeared to him practicable. The duty of their lordships was, however, to adopt some efficient measures in the first instance.

The Earl of *Blesington* said, that had the noble earl accompanied his proposition to the House by an assurance that the bills were proposed on the recommendation of the present lord lieutenant of Ireland, he should not be disposed to view them with so much jealousy as he did. But when the noble earl said, the measures were recommended by the executive government, it became very doubtful in whose advice they originated; for, if the term executive government meant now the same thing as it did in the time of the duke of Richmond, their lordships would have to understand by it the secretary of state for the home-department, and the Irish secretary. With regard to the consideration of the state of Ireland at a future period, he did not anticipate much advantage from it. More than twenty years had passed since the Union, and the state of Ireland had never been properly investigated. The great causes of the evil were obvious. The imposition of heavy burdens, and the misapplication of the

public money in pensions and sinecures, had a most pernicious influence on the country. It was his intention soon to move for a list of the pensions granted since 1799. Tithes were also a great operating cause of discontent, and the distillery laws another. When a law giving such powers was proposed to be passed, it would be well for their lordships to consider what the state of the magistracy was. He objected to the practice of choosing for magistrates, chiefly clergymen and attornies. He hoped the lord chancellor would strictly examine the roll of magistrates, and ascertain whether they were persons capable of discharging their functions, with such additional powers as were given by these bills. Ministers were doubtless anxious to protect the lives and properties of individuals, but he expected no effectual remedy from any measures of theirs.

Lord *King* thought it highly proper that the bill should undergo some modification. If passed in its present state, parliament would probably have no opportunity of reconsidering it before June or July; a time when it was known to every person, how thin an attendance there was even upon the most important question. He should therefore propose, in the committee, to limit the duration of the bill to the 15th of March, which would be six weeks, in place of six months. It should be recollected, that this bill had its origin in the Irish parliament, the conduct of which, in its mischievous mode of legislating for the country, was one of the arguments urged in support of the Union.

Lord *Calthorpe* said, that feeling the strongest objection to the bills on constitutional grounds, he thought it his duty to explain the reasons which induced him not to oppose them at present. With respect to the noble marquis who recommended, it was said, the adoption of some strong measures, he was quite willing to attribute to his recommendation all the authority it deserved. He thought, however, that the subject for their lordships' consideration was rather the particular nature of the facts and disturbances on which these bills were grounded, than the particular measure recommended by the executive government of Ireland. It was upon the horrible and revolting nature of these facts, and upon this alone, that the measures could, in his view of them, be supported. In the dispatches upon the table, he saw nothing wanting of those symptoms which threatened imminent danger, unless the evil were put a stop to by some speedy and efficacious measures. One circumstance peculiarly alarming in the present rebellion was, that none of the causes assigned for previous rebellions in Ireland could account for it. The events now passing discovered a diseased, frightfully diseased state of society in that country, arising from circumstances not susceptible, he believed, of immediate remedy. It was on these grounds he thought strong measures necessary. He was not prepared to say that those now proposed were the very best; but the insurrection bill had this claim to support—that it had been tried before, and found efficacious. He felt no hesitation in intrusting to the executive authority in Ireland the application of the measure proposed. The noble earl opposite admitted the necessity of some inquiry into the state of Ireland, and gave their lordships reason to hope that it would be entered into when the disturbances were put down. Without some such assurance, he certainly should not have so easily acquiesced in the proposed measures. He was the more inclined to come to a vote in favour of the proposed measures, when he recollected that declaration, so truly royal, which had been made in the memorable document issued in consequence of his majesty's visit to Ireland. He believed that the same spirit which dictated that letter would influence the execution of these measures; and impressed with that conviction, he gave his vote for the motion.

The Earl of *Darnley* said, that if he could abstain from giving his opposition to the proposed measures, it would be from his willingness to repose confidence in the present government of Ireland; but the circumstances of the present case precluded him from suffering the opportunity to pass without declaring his dissent from the proposition. It was now several months since a spirit of Insurrection had burst forth in Ireland. The government saw it increasing, and yet proposed no measures for its suppression, until they came forward, in the extremity of rigour, with these severe and unconstitutional bills. Then parliament were told, that no time was to be lost, and that the necessity for the bills was so urgent, they must be passed without the smallest delay. With reference to the papers on the table, it appeared to him that the great mass of insubordination which had assumed the

shape of insurrection, was almost exclusively confined to the county of Cork. These papers might furnish ground for the application of martial law in that part of the country; but he did not see how the same rigour could be necessary elsewhere." The House would bear in mind, that, by the proposed measures, they were about to vest in the discretion of the magistracy of Ireland a tremendous power. With all due deference towards the Irish magistracy, he might speak of them as connected with topics which were notorious to the world. The state of society in Ireland was unfortunately so convulsed by petty distinctions, that it was unsafe to confide extreme power in the hands of any individuals however respectable. These bills conferred a power upon the magistracy of inflicting seven years transportation, without the intervention of a jury; and that sentence might be inflicted for being found in a public-house or out at night, between the hours of sunset and sun-rise. It was said, that these measures were called for, to satisfy the views of the noble marquis at the head of the Irish government. He saw no proof of this in the papers on the table. He was ready to confer adequate powers upon the lord lieutenant to meet the present crisis: but let them be plainly and avowedly called for. In the present excesses of a part of the Irish population, there was much more to commiserate than to punish. But his majesty's ministers said this was not the time to consider grievances. He entertained a different opinion, and felt that no time was more applicable to ascertain the cause of this great disorganization. The delay of ministers was, he repeated, highly censurable. Two months had elapsed since he forwarded to the noble lord (Sidmouth) a petition to the king from a number of Irish gentlemen who had assembled at the Thatched-house tavern, and who prayed that parliament might be immediately convened to consider the situation of Ireland. The visit of the king to Ireland had been alluded to, and he hoped it would, in its consequences, prove as auspicious as it had been stated to be in the royal Speech. The existence of great evils in the state of Ireland could not be doubted. They were attributable to a variety of causes, and their origin might be traced to the earliest date of British connexion with that unfortunate country. Instead of promoting civilization, as England had done in all her colonies, she had, in that unhappy country, adopted no principle but that of severe coercion, and ages of division and bloodshed had followed. He implored the government to retrace their steps. Let the odious distinctions which separated large classes of the people in that unfortunate country be removed, and a dominion of affection be substituted for a government of the sword.

The Marquis *Camden* expressed his hope that the present bill would pass. He was one of those who, in supporting the measure, thought it had not been too soon brought forward. He was quite persuaded that, in the present situation of Ireland, measures of this kind, however painful, were absolutely necessary. The noble marquis recited the provisions of the bill, and dwelt on the security against the abuse of power which was furnished by connecting a king's serjeant and barrister of eminence with the local magistracy in the administration of the act. He thought this provision obviated the objections which were felt against the original construction of the bill. Parliament were bound to give the utmost energy to the government of Ireland, in order to put down an extensive spirit of insurrection. He agreed that the state of that country ought to receive the consideration of the legislature, and hoped that the subject would be introduced in a calm and dispassionate manner, unmixed with irritable topics which might defeat the purposes of candid inquiry.

Lord *Ellenborough* said, that whilst their lordships were about to pass these very severe laws against Ireland, he hoped they would not dismiss from their minds the absolute necessity, at a very early period, of taking the state of that country into their consideration. He was willing to assist them in putting out the flame; but it was their most sacred duty—a duty which could be no longer delayed without the greatest criminality—to adopt wise and healing measures with respect to that country, in order to prevent the recurrence of evils which they all deplored. He gave his vote in favour of the present measures with the greatest pain: he had read with the utmost attention the papers on their table; and, until he had read them, he did not think it was possible that the marquis Wellesley could have taken up eighteen pages, detailing acts of violence and outrage, without expressing a single opinion on the state of the country, or the causes which had produced those

lamentable events. Disappointed in that quarter, he had hoped that the noble earl who introduced the present measures, would have made some satisfactory statement to the House: he had hoped to have heard from him some decided opinion on the state of Ireland, and the intentions of ministers with respect to the future government of that country; but in all these expectations, he regretted to say, he had been altogether disappointed. He would give his support to the bill, because he felt the necessity of it: but he could assure their lordships, that it was impossible for him to describe the pain he felt in being obliged to sanction a measure of such severity. For the wretchedness of the Irish people, he felt the utmost commiseration; but rebellion was not to be trifled with—it must be put down, and put down by the sword; a military force in that country was absolutely necessary, and here he begged to say, that he could not suppress his utter astonishment, on reading a paragraph in one of the papers on the table. Here the noble lord read the following paragraph from a memorial of the magistrates of the Southern district of the county of Cork to the marquis Wellesley.—"From Clonakilty where there is a yeomanry corps on duty, to Skibbereen where there is a subaltern and sixteen men, of a regiment of infantry, a distance of 16 miles, with a crowded population, there are about six police men. From Skibbereen to Crookhaven, a distance of twenty four miles, equally populous, there may be perhaps eight police men, an establishment wholly inadequate to the ordinary duties of civil constables, much less to the suppression of formidable insurrection. In fact, the whole district may be said to be in a defenceless state. These disturbances broke out last autumn. Every day they had become more desperate and alarming." What had ministers been doing ever since? How did it happen that they left a space of forty miles of the most disturbed part of Ireland to be defended by forty men? It was ludicrous to pass the present bills, or even bills of a more severe description—it was idle to establish military law itself, unless government sent with the law a strong military force. It would be necessary, he feared, to station a military force in that country, not for a short period, but for successive years, in order to prevent the possible recurrence of those desperate and disgraceful outrages, which it was now the first duty of the legislature to put down. They were not of a transitory nature; they proceeded from causes which were still in operation; they were possessed of an elasticity which drove them forward with increased violence, when the depressing force was removed. He would again entreat of ministers to consider the situation of Ireland; the grievances under which that country labours; and the causes which produced the public disturbances. He hoped that the noble marquis at the head of the Irish government would not content himself with the mere exercise of those extraordinary and unconstitutional powers with which the present measures would arm him. He trusted that his active and comprehensive mind would be exerted to sound the depths of the grievances and miseries of his native country. If he should fail to do so, he (Lord E.) could not continue the confidence which he was at present disposed to repose in him. The present moment was not the time to go into a detail of the grievances of Ireland. A better opportunity would, he hoped, speedily present itself. The bill which was before their lordships last year he never considered as the sole remedy. If passed to-morrow, it would not, he believed, have a sensible effect on the state of Ireland. He had never considered it a cure for all her distresses; but he must ever consider that measure as the basis of other measures for her amelioration. With that conviction strongly on his mind, he had always supported the principle of that bill, and he always would support it. There were other grievances which demanded immediate redress. The situation of the country, with respect to the tithe system, called for immediate consideration. It formed a subject of inquiry too prominent to be longer overlooked. He would say, that there was no measure which the wisdom, or justice, or humanity of parliament could devise, more necessary in itself, more likely to remove the discontent of Ireland, or one which would be hailed by the suffering population of that land with so much joy and thankfulness, as a revision of the tithe system. He was aware that the measure was one of great difficulty, but he knew also that it was one which was expected by suffering millions; he knew that it was necessary, and that it was not impossible. Feeling these sentiments strongly, he called upon ministers, as they valued the tranquillity of the coun-

try, to bring forward without delay a measure of that nature; for in common with every man who knew any thing of the situation of Ireland, he was convinced that that could alone remove the discontent of Ireland. For the present, he should only repeat, the pain it gave him to be obliged to support the present measures. Once more he would implore of ministers to bring the state of Ireland under the immediate consideration of parliament, with a view to the adoption of measures of melioration and redress.

Lord *Redesdale* declared his opinion in favour of the proposed bills, in order to put down insurrection in Ireland. A good deal had been said respecting the character of the magistracy of that country. When he was chancellor of Ireland, he had taken considerable pains to induce the most respectable persons in that country to belong to the local magistracy. Their answer almost always was, that they should not hesitate to accept the office, if they could secure the support and co-operation of the great owners of property in the country; but it was only in a few instances he could prevail upon them to act. Under such circumstances, the only thing which the government could do was, to take the magistracy as they could find them, and to frame them accordingly. The present insurrection was not mixed up with religion or politics, but was directed against the old established law of the land. The great evil of Ireland was, that she never had been made duly amenable to the laws. Sir John Davies, the Irish attorney-general in the time of James the first., had said, that all were in fault in Ireland; the high and the low, the rich and the poor; and so it had remained to the present day. He knew that too great a spirit of disobedience prevailed, and that too many were found to take advantage of its existence to promote their own peculiar ends. The first thing to be done was, to render all in Ireland obedient to the law, the high and the low, the rich and the poor. Let no man, however high, dare to evade the law with impunity: let no man, however poor and humble, feel that he was without its equal protection; then the people of Ireland would be found as obedient as any other people were, who knew they enjoyed the equal protection of the law. He had found them, in his intercourse with them, a people most sensible of kindness and attention. He repeated, that if the government could effect a full, fair, and firm administration of the laws, the most salutary consequences would result. If their lordships referred to the past history of that unfortunate country, they would find that those who were sent over from this country, had done nothing to improve the condition of the people intrusted to their charge. A farmer in the North Riding of Yorkshire had once pointed with pride to the protection afforded him by a bench of 200 magistrates. Where was the man in Ireland who could exult in the same reference? On the subject of education he must say, that the great body of the people in Ireland took too little pains with the education of their children in early youth. There were many measures of internal regulation, the adoption of which would be most advantageous to Ireland. among these were better regulations in the leasing of lands. There were often five or six intermediate tenants between the owner and occupier: in one case he had recommended to a friend the abolition of five of them, and his property had been much improved in consequence. In the manner of recovering lands some improvements might be introduced to assimilate the practice to that prevaling in England. In Ireland the landlord was injured, and the tenant ruined, by the present process. As to the noble marquis at the head of the Irish government, so far from thinking him culpable for not early committing his responsibility in proposing remedial measures, he should have held him up as rash and indiscreet if he had proposed any plan in the present confused state of Ireland, and at the moment of his landing.

Lord *Holland* agreed entirely with his noble friends near him, as to the character of the proposed measures. He appreciated the feelings of the noble lord (Ellenborough) who had expressed the pain it gave him to vote for these bills; and, though he also concurred in much of what had fallen from the learned lord who had spoken last, he could not refrain from expressing his surprise, that he should have given his vote unhesitatingly for measures of this description. With more generous compassion for the people of Ireland, did the other noble lord confess the pain given by a vote wrung from him by hard necessity. He honoured that noble lord's motives, concurred in his feelings, and, if he could think with him that the proposed bill was calculated

to remedy the existing disorders in Ireland, he, too, would support it with his vote—a vote that he could, as an Englishman, only yield to hard and cruel necessity. Arbitrary and unconstitutional as this authority was—difficult as it would be under any circumstances to wrest his consent for its enactment—yet he confessed he had not come to the determination to vote against it, without considerable reflection, and some painful hesitation. He did not deny the existence of a spirit of insurrection and lawless violence in Ireland, and that it must be met by force. He was not only ready to acknowledge, that the papers on their table convinced him of the necessity of immediately reducing the evil, but he was also ready to acknowledge that some additional law was necessary to reduce it. He was ready also to acknowledge, that to the recommendation of the noble marquis then at the head of the Irish government he would bow, as far as was consistent with a conscientious discharge of duty. He was likewise ready to acknowledge that, without having either much political knowledge of, or much personal acquaintance with, that distinguished character, there was no man to whom he would more willingly commit extraordinary powers. It was not to swell a period or to found any argument hereafter upon it, that he bestowed this praise upon the noble marquis. Though on some points he had differed from, and on others agreed with, that noble personage in political sentiment, it was only justice to state, that he had never entertained but one opinion with regard to his talents, energy, liberality, and integrity. That opinion had not been shaken by any discussion which he had yet heard; and he trusted that it would not be shaken by any part of the noble marquis's conduct in his new administration. Nay, he was not sure that he might not have voted for the passing of these bills, if the noble earl opposite had shown their lordships a single sentence from the dispatches of the noble marquis calling for the enactment of such powerful measures. The noble earl, however, had not afforded them the slightest evidence of such being the wishes of the noble marquis. Now, in such a case, their lordships were bound to exercise a judgment founded upon the evidence submitted to their consideration; and, exercising such a judgment, he felt convinced, that the noble earl asked for a remedy that was not adapted to the exigency of the case, or to the nature of the complaint. A noble lord had said, that when a house was on fire, it was the first duty of the inhabitants to extinguish the flames. So, with regard to the measures now proposed for the tranquillizing of Ireland, he should say to ministers, "It is your duty to restore that country to a state of peace and order: you are now proposing most rigid and severe measures to effect that object; be it so—but it was your duty to have provided means, if not to have prevented the existence, at least to have retarded the progress on its first appearance, of that spirit of discontent which is aiming at the destruction of the whole fabric of public security." Now, when he looked at the papers on their table, he could not help observing, that a want of military force and of physical strength had occasioned the calamities which were now devastating Ireland; and that such a want of military force—a want for which the government was to blame—was at present the principal evil under which that unfortunate country was labouring. Their lordships would find from the documents on their table, that wherever there was no military force or only an inadequate military force, the disturbances were daily increasing in number and violence, and gradually assuming the character of insurrection and rebellion. There was not, indeed, any very strong inference to be deduced from that circumstance; but, if it appeared, as it did appear, that wherever an adequate military force was stationed, there the disturbances had been put down immediately, and had subsequently disappeared altogether, it followed that as a want of military force had encouraged, so a supply of it had extinguished the flames of insurrection. It was obvious from these papers, that wherever an adequate military force was stationed, no such domiciliary visits as the bill under discussion authorized magistrates to make, were either necessary or useful; and it was almost equally clear, that the other part of the bill which gave magistrates the power of arresting suspicious individuals, where no military force was at hand to support them in making the arrest, could not prevent misled individuals from resorting to their present unjustifiable conduct. Let the house, too, recollect the situation in which the magistrates confessed themselves to be

placed. They stated, that their physical strength was not equal to encounter the evils by which they were at present surrounded. Now, when by this act, an individual could be condemned without either judge or jury—for to talk of the advantage of having a king's counsel to sit with the magistrates was mere hypocritical cant, inasmuch as by having a right to dispense with the "probi et legales homines" of the county they had a power which was contrary to the very existence of a constitutional judge—was their situation likely to be improved? The magistrate might indeed go with the yeomanry in quest of any person who was suspected of being in league with the insurgents; but was it likely that that person would give himself up with greater readiness to the strong arm of power, now that the severity of the punishment was increased and the chance of escaping the gripe of the law was diminished, than he would have done when the punishment was comparatively mild, and the chances of his acquittal incomparably greater? This appeared to him to be a strong objection against the competency of the measures under discussion to accomplish the end proposed; but, leaving it out of consideration for a while, he should object to them on account of the liability to abuse of the powers which they gave. He should not fatigue the House by showing that it was the duty of parliament to take it as a fundamental maxim, that all power was liable to abuse: he should content himself with proving that the power conferred by this act was peculiarly liable to it. Indeed, that was a point which it was almost impossible to deny, when the character of the persons to whom it was to be intrusted—and here he did not allude to the executive government of Ireland—was taken into consideration, as also the circumstances of the country, and the peculiar condition of its unfortunate peasantry. In the first place the very circumstances which led to the necessity of passing an Insurrection act, supposing such an act to be necessary, rendered the particular persons who were to exercise its powers more likely than they otherwise would be, to abuse their authority. What was the nature of those circumstances? It was shortly this—that there had been a contest between the magistracy and the people—a contest against the law on the part of the people, and in support of the law on the part of the magistracy. From that contest the magistracy had come out unsuccessful; and it was at that very moment when they were animated by resentment (and, admitting even that it was a just resentment, still it was a good ground for disqualifying them to act as judges), that they were to be intrusted with arbitrary and discretionary power. Upon these principles, of all the persons intrusted with power, the magistrates were the most likely to abuse it. If the positions which he had just laid down were true as regarded the magistracy of every country, he could not say that they were less true as regarded the magistracy of Ireland. The noble lord had indeed told them, that in passing the Insurrection act they were not passing a new law: that they were acquainted with its nature, and had had experience of its effects. Yes, they did know its nature—they were acquainted with its effects; and, unfortunately, there were but few of them who had not heard tales, and well-attested tales too, of the cruelties and oppressions which had been practised under it. Did any man doubt the veracity of those tales? Then let him go to the records of the tribunals of Ireland, and he would find them enrolled there in characters which admitted of no dispute. God forbid that he should revive these tales to gall an unfortunate but high-spirited nation! Yet this he would say, that the atrocities which had been formerly perpetrated under the Insurrection act, made him recoil from it with a mixed feeling of disgust, horror, and indignation. The noble lord had, however, said, that the result of it had been, to produce good whenever it was enacted. From such language their lordships would naturally suppose, that whenever any rebellion took place in Ireland, this law was immediately passed to repress it, and that as soon as it had produced that effect it was suffered to expire. But, were their lordships so ignorant of the history of their own times, as to believe this to be the case? No, they could not be so; they must know that this law had been first passed in 1796, and that it had remained in force till—he begged their lordships' pardon—it did not remain in force, for all law was suspended, and a government, which all writers upon government had described as of the very worst species, a democracy of tyrants, was established in its stead in Ireland, from 1796 to 1804. But, when the Insurrection act was then suffered to

expire, their lordships might perhaps suppose that halcyon days began to shine on that unfortunate country, and that those who were entrusted with its administration began seriously to examine into the causes of its distress, and into the best means of removing them. No such thing: three years did not elapse before the measures which had repressed the evils caused the people to break out once more into acts of retaliatory outrage. In 1807, the Insurrection act was passed again, and existed for two or three years from that period. A noble lord, who at that time was a member of the opposite government, much to his own honour, went down to the House of Commons, in which he then had a seat, to move its repeal two or three months before it expired, on the ground of its not being necessary to continue it any longer. Did the noble lord mean to say, that even then, after wading so long through a Stormy sea of cruelty and oppression, the Irish nation had at last attained the shores of peace and harmony? No: the Statute-book answered the question in the negative; for it showed that the act in question was again passed, in consequence of the evils which it had repressed breaking forth with renewed activity. Again it was suffered to expire, and again, after a temporary cessation, the system of violence and outrage, which it had been passed to put down, forced itself upon the notice of the country. It was now proposed to apply the same remedy to it as before; but to that application he could not consent, on account of the evils which the continued repetition of it was calculated before long to create. It was calculated to produce two results, and of those results he could not tell which would be the most pernicious. In the first place, it would inure the judges and magistrates of the land to the exercise of extraordinary powers; and, in the second, by inuring them to such powers, it would teach the people to consider them as tyrants and natural enemies. Such a state of things would naturally lead to outrage on the one side, and to tyrannical conduct on the other. Besides these evil consequences, it would also lead to another. The most upright magistrate could not help feeling at times the convenience to himself, and, as he would think, to the state, of the extraordinary powers intrusted to him; and consequently, on referring to the ordinary laws of the land, and to the restrictions with which they guarded the life and liberty of the subject, he would see with a more acute eye the obstacles which they sometimes afforded to the detection and conviction of criminals, and would wish, in forgetfulness of the protection which those obstacles afforded on other occasions against personal outrage and oppression, to see them entirely abrogated. But, if such an effect was likely to be produced on the mind of a good magistrate, what was likely to be the effect on the mind of a bad one? Would it not be to instigate him to involve the country in disturbance, in order that he might be armed with excessive power to accomplish, under the shadow of the law, any of his own base and sinister purposes?—It was observed by the last noble lord, that no obedience to, or respect for, the law, was to be found in Ireland—a remark which he said applied not only to the low and poor, but to all classes and ranks of society. Now, that want of obedience to the law and respect for its ordinances he (lord H.) declared to be the chief cause of all the misery which had so long been devastating Ireland. For, what was the lesson taught by the practical administration of law in that country? Why, that the laws were good, and merited attention in times of peace and tranquillity, when no laws were wanted; but that in times of difficulty and danger, when it was most necessary to execute them fairly, they might be obeyed or not, as pleased the will of those who administered them. The consequence was, that the peasantry, who frequently received injuries from that very quarter which was bound to protect them from injuries, said to the magistracy, "We, too, will take the law into our own hands; we, too, will act on a system of lawless force; we will seek redress of our grievances from you, in the same manner that you seek redress of your grievances from us; we will worship the same Moloch of violence to which you yourselves have so often sacrificed." Could any man be weak enough to suppose that conduct founded upon such principles would not reproduce corresponding violence among the magistracy? There always had been, and there always would be, individuals of that body ready to assert, that the violent measures to which they persuaded the government to resort were rendered necessary, not by the re-action which they occasioned, but by the discontent and dis-

affection which existed among the lower orders of their countrymen. Indeed, it was too often their interest to have their immediate neighbourhood represented to government as disturbed, if they did not absolutely render it so by indulging their own licentious and iniquitous passions; for then each of them could strut about as the tyrant of his district; then every petty Midas could swell himself into an importance to which neither his rank nor his talent gave him any claim, and could thus, from the augmentation of their magisterial powers, spread terror and dismay amongst all those who did not yield instant obedience to their high behests. He did not pretend to advocate the policy of placing Ireland under martial law; but, in contrasting one severe measure with another, he might be permitted to express his conviction, that even the proclamation of martial law would be productive of less mischief to Ireland, than the enactment of laws like the present. If a magistrate were to know, that whenever his district became agitated, an overwhelming military force would be sent into it, that would sink him into insignificance as well as the wretch whom he persecuted; and if he were to find that upon such occasions the excesses of his own partisans were punished with the same severity as those of the deluded creatures to whom they were opposed, he would redouble his diligence to prevent such an evil from falling upon him and the district with which he was connected; he would pause a little before he called for the rigour of severe and revolutionary laws (for revolutionary these laws certainly were), because the weight of them would press on his own head as heavily as upon the head of those whom he was now in the custom of insulting and oppressing. Such would be the feelings and conduct of the magistrates, in the case which he had supposed; but, very different were their feelings and conduct under the existing state of things. He did not know much of the internal administration of the affairs of Ireland; but he believed that he was not stating more than facts justified him in stating, when he said that eight or nine months had never elapsed since the Union, without a number of the magistrates calling upon government to put the Insurrection act in force. No sooner did a lord lieutenant set his foot in Ireland, than he was involved in a multitude of intrigues and cabals, of which the sole object was, to obtain the execution of that harsh and unconstitutional measure. He was surrounded by a faction, which, considering the government as its property, studied his character, in order to turn the defects of it to their own advantage. If he was a timid man, they attempted to frighten him into their views: if he was a spirited man, they endeavoured to win him to their side by putting him on his mettle. Indeed, no expedient was left untried to get him into their power, and a correspondence was opened with him by this immense faction, which extended itself through every part of Ireland, of which the sole drift was, to have the provisions of the Insurrection act carried into full effect.—After detailing the mischief which such a state of society was almost certain to generate, the noble lord said, there was one other subject, on which he could not refrain from making a few remarks. The subject to which he alluded was, the necessity of accompanying these laws of coercion with some measures of redress. There should, at least, be some pledge given by the members of administration that they would apply their attention to the mitigation of those grievances which every now and then were producing such violent paroxyms of rage and indignation in the minds of the people of Ireland. Among the other defects of the measure then under discussion, it was not the least, that it would render it still more difficult than it was at present to conciliate the spirit of its inhabitants—that it would act as an additional bar to their improvement, at the same time that it would not be sufficient to effect the purpose for which it was intended. When he said that the bill was insufficient for its purpose, he did not mean to say, that in a few months Ireland might not be more tranquil than it was at present: he had no doubt that it would be so, for the length of the days and the lightness of the nights would of themselves prevent many of the outrages now complained of. What he meant to say was this—that the bill would not eradicate the causes of the disturbances. Before their lordships proceeded to pass new restrictive laws for the government of Ireland, they ought, he would not say to grant Catholic emancipation, but to give a pledge that they were prepared to take that subject into their immediate consideration. If such a pledge were not

given, apparent tranquillity might be achieved by this bill for a time, but it would not be long before their lordships would find, that all the symptoms of the present disease would break out with redoubled violence. Disturbance and riot would soon swell up into rebellion; and the insurrection would assume the aspect of a political and religious warfare. In the case of their neighbours, ministers could see clearly how such a change might be effected. When the persecution of the Protestants took place in the South of France, it was said to be the persecution of the followers of Buonaparte, and totally unconnected with any religious animosities. To whom, however, were the extraordinary powers, necessary to put down the disturbances, entrusted? To Catholics, who had their feelings irritated against the Protestants by the contest in which they had been engaged with them. The noble earl opposite smiled at the remark he had just made, as if it applied only to the Catholic. He, however, was of opinion that it applied to human nature. What did these Catholics say? Why, "the man is a Protestant; he is, therefore, a friend of Buonaparte, and therefore our arbitrary power may very fairly be exercised against him." Might not similar language, under a state of things almost similar, be used by some of the Protestant magistracy in Ireland? The man is a Catholic, and therefore a friend to riot and disturbance: and therefore a proper subject for the powers with which we are intrusted." If such a spirit was to direct the proceedings of the Irish magistrates, the riots, he would repeat, would soon be converted into a religious war. It would be a war of persecution on the one hand, and of religious enthusiasm on the other. The noble earl had, however, thought proper to inform them, that the causes of these disorders were not political. "In these paroxysms of disease," said the noble earl, "I give you remedies unpleasant to the palate; but do not, on that account, suppose that I am a quack; no, I have had a regular education, and I draw my skill in physic from long study and experience. The disease under which you are suffering is of an organic nature, and requires all the exertions of the faculty to remove or eradicate." Why, this was an extraordinary discovery indeed; the physician had been feeling the pulse of the patient for many years, and had never before said one word regarding this organic disease under which he was said to labour. But, had the patient himself never told his medical adviser about this organic disease; or had his friends been equally silent with respect to it? Oh dear, no; quite the reverse! One of them, a noble duke (Buckingham) who had lately received an elevation to the highest rank of the peerage, had specifically brought the subject under the consideration of this great state-physician, and the latter had treated it with ineffable contempt. A noble friend of his (earl Fitzwilliam) for whom it was impossible for him to express all the respect he felt, who had not been elevated a step in the peerage, but who was universally loved and venerated, had also brought forward a similar proposition; but that, as well as the other, had been scornfully dismissed. The noble earl opposite had neglected the disorder, till it was almost beyond his power to administer a remedy; but as he at length allowed that there was "something rotten in the state of Denmark," he (lord H.) expected a pledge that something would be done to remove it. It was preposterous to say that such pledge ought not to be given. The removal of Catholic disabilities, a measure which he had the honour of proposing twenty two years ago in that House, might not indeed be right; but it was utterly impossible that any government could discharge its duty to the people of Ireland, who excluded the question from their consideration, or to the people of England, to whom they said the Irish were labouring under a chronic as well as organic disease. The question of tithes was also an important question, and was connected with a system that created universal disgust and dissatisfaction in Ireland: and why so? Because they were paid to support a religion in which those who paid them did not believe. Whenever this was mentioned in the consultation of physicians, as one of the causes of the distemper, mum was the word immediately; "You may mention that in private as much as you like; but not a word of it in the public consultation: it is too delicate a subject to have it rashly handled!" It was a subject, however, so intimately connected with the other great question to which he had alluded, that he could not help referring, with some degree of disgust and indignation, to the compact which at present existed in the cabinet to prevent Catholic emancipation from being carried. "We

agree," said some of its leading members, "with what is said on both sides of the House, as to the importance of granting the Catholics this boon; but if we press it on our colleagues, we shall dissolve our cabinet. It is, therefore, better for us to keep office, and forfeit the good opinion of our countrymen, than to do that which most persons allow to be necessary, though they differ as to the details of the measure by which it is to be effected." That might do tolerably well as long as the country was in a state of tranquillity; but he was anxious to exact from ministers, in the present state of affairs, a pledge that they would take a view of the whole subject, and give the country the benefit of their opinions upon it. The evils which affected the sister-country were too complicated in their nature to be removed at once, or by one measure. Let it not be thought that the removal of the Roman Catholic disabilities would effect such an object, or that it would be a panacea for all those evils. He fully admitted that it would be a most salutary measure; but it would not alone be sufficient. The system of tithes was another evil which required a specific remedy; and on this subject he fully concurred in the remark which he was pleased to hear come from the noble lord —that the man who could effect a commutation of them in Ireland would confer a most important benefit, for which he would deserve his country's thanks. Another evil complained of in Ireland was the absence of so many of its great landed proprietors. He would admit that it was an evil; but in any country where the measures of government separated the interest of the higher and lower classes; where the lower classes were kept in that state of oppression which must create apprehension in the minds of the higher; it would happen in such a country, wherever it was, that the great proprietors of land would remove to other countries for the enjoyment of their affluence. But besides the causes just mentioned as the sources of the evils which affected Ireland, there was another, which, strengthened by those to which he had alluded, rose paramount to them all—it was that disrespect for the law which existed in every class in that country, from the highest to the lowest, from the duellist, who, through a mistaken notion of honour, placed himself above the law, in order to redress his real or fancied, wrongs; to the poor bog-trotting peasant, who in the night drove away his neighbour's cow, to repay himself a debt, rather than resort to a process of law, or employ a bailiff. This disrespect for the law prevailed in all classes; because all classes seemed to feel that the laws were wholly unfit for them. When such a dreadful evil existed, no time whatever should be lost in its correction, by the removal of the law, or by adapting it to the people. He would not enter further on this important subject; but, before he sat down, he could not but complain that their lordships had not been well treated by ministers, in the haste with which they proposed to carry this measure through the House, not even allowing four and twenty hours for its consideration. From the best attention which he could give these measures, he felt satisfied that they were not calculated to remedy the evils to which they were to be applied. And here he could not but think it extraordinary, that, if the noble marquis at the head of the Irish government had thought such measures necessary, he had not mentioned them in his dispatches. On the whole, he thought the power would be most likely to be abused, when put into the hands of magistrates who had abused that with which they were already intrusted.

The Duke of *Wellington* said, he did not rise to follow the noble baron through all the details of the question, his object was principally to advert to the employment of the military force in Ireland. He would first, however, remind the noble baron, who had argued as if the present measure was a permanent and universal one, that it went only to enable the lord lieutenant to proclaim certain disturbed districts in which it was necessary some prompt and powerful measures should be adopted, in order to repress those lawless acts of nocturnal outrage by which life and property were violated. For the absolute necessity of putting these districts under the operation of the law, the lord lieutenant was responsible; and he did hope their lordships would agree with him in concluding that his noble relative at the head of the Irish government, alive to that responsibility, would not allow it to be put in execution, except where the necessity demanded its application. With respect to the military force in Ireland, he must observe, that the amount of force stationed there at this period, was nearly double that which was stationed there before the commencement of the late war.

Indeed, there was as large a force in that country as could be well employed. It was true that the law under discussion would demand the aid of force to carry it into execution; but the outrages which the Irish government were bound to repress, were of two descriptions. There was what he might designate a rebel force openly arrayed in the field; that description was to be met by force alone. In the other case, it would have to counteract the nightly aggressions of lawless bodies, who, taking advantage of darkness, plundered the peaceable inhabitants of their arms, and committed those outrages which were so fully described in the papers before the House. To put down these lawless practices, the powers of the proposed bill were necessary; supported certainly by military aid in carrying it into execution. That force alone could not prevent these disorders was evident from the fact, that houses in the immediate vicinity of barracks, where troops were stationed, had been actually attacked and plundered. Such occurrences were not imputable to any want of vigilance on the part of the military, but to the local nature of the country, and the disposition of the population among whom they were stationed. The certain means of preventing the repetition of such outrages was, by preventing people from leaving their homes from sunset to sunrise, and by punishing them, if they were found absent. But it might be said, that the magistrates would require the aid of a military force for the performance of this duty. Certainly they could not perform it alone; but he thought that when a district was proclaimed, there would always be force enough to take up those found transgressing; and he would contend, that if we had double our present military force in Ireland, still the present law would be necessary to enable government to deal with such individuals as he had described. Where a different kind of outrage was committed by parties in open insurrection, of course a different remedy must be employed. He repeated, that the lord lieutenant having called for these measures, would be responsible for their due execution; and he had no doubt he would exercise the power they gave him with a discretion which would merit the confidence of the country.

The Duke of *Buckingham* considered the proposed measures ought to be carried, not merely from the confidence he placed in the discretion of the lord lieutenant, (though he freely admitted that a more fit selection of a nobleman to place at the head of the Irish executive could not have been made)—not merely from the confidence he had in the great temper and moderation of the able and excellent man at the head of the law department in that country; but he thought them necessary from the notoriety of the evils to which they were to be applied. He was quite surprised to hear from the noble lord (Holland) an objection to the power given to the magistracy under these acts, and his predilection for the use of the military. What! were there to be two constitutions, one for England and another for Ireland? Why was the constitutional principle of the preference to the civil power to be neglected in Ireland, when it was so much desired in this country? The noble lord and his friends, had, on a former occasion, complained, that government had a preference to the use of the military. But why were the magistracy of Ireland not to be intrusted with powers under this act?—because, as was said, they were prejudiced persons. But, was not the country in a state of rebellion? And, in such a state, where one portion of the people were in arms against the other, was it to be said that the civil magistrates ought to have no power because they must be prejudiced against the party in rebellion? Why, the same argument would hold good against investing the magistrate with great powers in any imaginable case of public disturbance. But a military force was preferred. He recollected, that one of the reasons which induced him to join the Opposition against ministers was, their keeping up a military force which he thought much too large for the country. He continued in the same opinion still, that that establishment was too large; but it had been since reduced, and he thought it ought not to be increased without the most urgent necessity. That necessity he did not see in the case of Ireland. The noble duke concluded by declaring his conviction that the present measures were, in principle and in detail, the best which could be adopted for putting down the disturbances in Ireland.

The Marquis of *Lansdown* said, that although he did not think there was any inconsistency in the vote which he should give, yet the subject to which it referred

was of a nature so important, that he could not refrain from making a few remarks thereon. There were two questions before their lordships—the first, whether the bill should pass at all? and the second, of which notice had been given by his noble friend, what was to be the period of its duration? In order that he might not trouble their lordships a second time, he would embrace both those questions in the few observations he had to make. As to the first question, he came to it not without that anxiety which every man must feel who had to vote on a measure on which might depend the welfare of his country; and, with the deepest regret at its over-ruling necessity, he felt bound to say that he must assent to the measure before their lordships. He alluded particularly to the Insurrection bill; for as to the necessity of the Habeas Corpus Suspension bill, he had not heard any grounds stated; but he supposed the grounds on which it would be moved rested equally on the responsibility of the government of Ireland. Now, he would admit that much of the detail of such a measure must rest with the executive government; and in that point of view it might be important to inquire as to the discretion with which it might be exercised. He confessed that he felt considerable disappointment, in looking at the selection (for selection it must be called) of the correspondence of the noble marquis, which had been laid before their lordships. His disappointment arose from not finding in that correspondence any mention made of the causes of the evils complained of, and of the probable means by which they might be remedied. He was quite surprised to hear from a noble earl, that any difficulty could arise in the mind of the noble marquis on the subject of stating his opinion on those subjects for the information of the legislature. No one would expect that a statement of the kind alluded to, on the part of the noble marquis, should comprise a particular bill for the remedy; but it might be expected that the legislature should hear the opinion of that noble lord as to the causes to which he might attribute the present disturbances. There was a precedent for such a course under the administration of lord Whitworth in Ireland; for, on one occasion, that noble lord had transmitted a statement respecting the condition of that country, in which he pointed out the defects which ought to be remedied in its political, legal, and military situation. That statement did great credit to the good sense and sound judgment of the noble earl, and would remain a lasting proof of his zeal and diligence in the discharge of his important trust. But, after that example, was he now to be told, that, under the circumstances now existing in Ireland, their lordships were not to expect from the head of the executive government in Ireland a statement calculated to inform them of the real situation of that country? Could any one at all acquainted with the talents and habits of the noble marquis, doubt that there existed in the possession of his majesty's government full details given by him as to the causes of the evils upon which they were now legislating, and which, he contended, ought to have been on their lordships' table? It was not, therefore, from the papers which had been laid before them that he had formed his opinion as to the state of Ireland, and the necessity for the present measure. He had formed it upon the notoriety of the case itself; from the frequency of nocturnal assemblages of armed men, from the murders, robberies, and open defiance of all law and authority; and when he recollected that such a man as Grattan — that zealous and incorruptible friend of his country, who had ever viewed her with the eye of a parent, while he watched over her interests with the foresight of a statesman — when he recollected that that great man did not think such a measure as this inapplicable, in a case certainly less urgent than the present; when he saw the wretched state in which that country now stood; that rebellion, like a torrent, was pouring over the land, and threatening the destruction of all social order, he had no alternative but to consent that the legislature should first put down the evil, and afterwards fortify the state against its recurrence. But, while he admitted that the hands of the executive ought to be strengthened by the law, he did not stand pledged to the particular remedy proposed, any further than experience led him to judge of its effects. When such powers were to be conferred as their lordships were then about to bestow, it should be a subject of serious consideration how they could be best administered, and who were the fittest instruments for their exercise. In looking at this part of the case, he fully concurred in the view taken by his noble friend (lord Holland), that the employ-

ment of the military was much preferable, in carrying this law into effect, than that of the magistrates, under present circumstances. He felt fully disposed to put confidence in the government of Ireland, and to give it that power which, in his opinion, would be most effectual. At the same time, he had an objection to that part of the detail, by which its execution would, in a great degree, be intrusted to the magistracy: and that objection arose from his recollection of the operation of the act on former occasions. On this part of the subject he would not give his own opinion, but that of a very eminent judge of the Irish bench. He would read an extract from the charge of Judge Fletcher to the grand jury of a county, in the year 1814. In that charge he stated to them, that the Insurrection act consisted in a suspension of the English constitution and the trial by jury; that, by that act, any seven magistrates had the power of putting it in force, after which every man was obliged to remain within his house, or, if found out of it after a certain hour, he was liable to transportation. The learned judge then stated, that this was a power, the exercise of which ought to be narrowly watched; for that it had, on certain occasions, been abused; and he stated as a fact that had come within his own knowledge, that a magistrate had been the means of procuring a trip across the Atlantic for one of his tenants, by which a beneficial lease had fallen into his own hands. He did not mean to say that there were not most respectable individuals in the magistracy of Ireland: but, he must say, what could not be contradicted, namely, that there were admitted into that body persons wholly unfit for the trust reposed in them. He could further add, what had come within his own knowledge, that many of the most respectable individuals had refused to accept the commission of the peace, because they would not be associated with such individuals. This he mentioned, to show, that some steps ought to be taken to purify the magistracy of Ireland. Their lordships would allow him to add, that many persons who, about ten or fifteen years ago, were, from their property or station in society, fit to be magistrates of Ireland, were no longer so. This arose from a variety of circumstances connected with the difference of prices, the alteration of the currency, and the transition from a state of war to one of the peace. Among these persons, there were many who had since lost their all. Many who had been once sufficiently respectable to be put in the commission of the peace, were left in that state of ruin and poverty, that did not entitle them to be selected as the magistrates in whom such large powers were to be vested. Let not their lordships believe, that there would not arise out of the excess of such powers (setting aside the consideration of all impropriety of conduct on the part of those who were to possess them, all ebullitions of violence or anger, and looking only to the necessary consequences of such enactments)—let not their lordships suppose, that there would not be left behind, the seeds of hatred and contempt on the one side, and of suspicion and fear on the other. Those wholesome and excellent ties by which the lower and higher orders were bound together in a peaceable and constitutional country, were rudely torn asunder in those countries, where the less fortunate condition of these relations led the lower orders to consider the higher as their enemies, and sometimes, he was sorry to say, induced the higher orders to look upon the persons exposed to their arbitrary sway with that indifference and contempt with which despotic masters might be supposed to look upon their slaves. Their lordships might be assured that when such notions were once implanted, it was with difficulty that the state of confidence and good-will which was the guarantee of peace upon a broad and permanent basis could be recovered. It was therefore that he thought much weight attached to the argument of his noble friend, for the employment of the military in preference to the magistrates, because the former power began and ended with the evil which it was called forth to overcome, and when the acts of violence had terminated, the persons were no longer in the view of those against whom they had acted. They were withdrawn, and left the affection of the lower orders to return towards those with whom their interests must be connected in all the ordinary relations of society. But far different was the case when the acts of harsh and violent power were committed by their masters or neighbours; for then the only secure and lasting ties of social order were weakened, if not broken, and difficult would be the task of repairing the lamentable consequences. He therefore thought the proposal of his noble friend (lord King), to limit the duration of these measures to six weeks, deserving

of support; as it was probable that, before the expiration of that time, the House could have more lights from experience, and find means that would enable them to modify that most objectionable clause, which dispensed with the trial by jury for the summary punishment of offenders. But perhaps some noble lords had been confirmed in their conviction of the necessity for passing one of these bills, by the representation made from the magistrates of the county of Limerick. After adverting to the state of the country, and the necessity of petitioning parliament, it went on to say, that the provisions of the Insurrection act were well suited to the exigencies of the time, with the modification of that part of it relating to the punishment of offenders—meaning thereby, as he understood, the propriety of introducing into it a provision for trial by jury. He was not prepared to say how far this was possible; but of this he was certain, that, while there existed among so many enlightened individuals, an opinion that the trial by jury might be restored; while that impression remained on the minds of many noble lords in that House, and of many members of the other House of parliament, who thought that this blessing might safely be conferred on the Irish people, he should undoubtedly vote for the motion which his noble friend (lord King) had said he would make in the committee; for the noble marquis, then, adverting to the speech of lord Liverpool, observed, that the noble earl should have told them what remedies could be administered for that which was admitted on all hands to be an evil that had its origin in the state of society. Upon this subject, he felt that he could not conscientiously vote for the bill in question without declaring that it was one upon which their lordships were, more than ever, bound to enter immediately after they should have passed these bills. If their continuance was to afford the shadow of a pretext for the delay of those great topics that so imperatively pressed themselves upon their lordships' attention, he should indeed be betraying his duty, both as an English and an Irish peer, if he were to vote for the present bills. Delaying?! Good God what had they been doing all this time? Had they not been fatally delaying for the last twenty years? If the advice of that great statesman who presided over the affairs of this country at the time of the Irish Union—if the views which Mr. Pitt entertained, if the views which the greatest men politically opposed to him equally entertained—if the views of that great and enlightened statesman from Ireland, to whom he had already adverted—if these views, in which a noble lord, now one of his majesty's principal secretaries of state had, at different times, concurred, in the course of a life during which it had been his lot, he would not say to be blest, but to be curst with the possession of power without having the means of exerting it, in this instance, to the desired effect;—if such views had been adopted; if the nostrum of delay had not found its way into the two houses of parliament, how different might now have been the state of Ireland! How much blood might have been spared! how many quarrels averted! Ministers would not have been now asking for Insurrection acts; but they would have felt that the Union of the two countries was happily secured in the affections, in the hearts, of the Irish. But their lordships were fast advancing to that period, at which they could not any longer delay; and when, whatever might be the disposition, either in their house, or elsewhere, to shrink from such questions as he had alluded to, they would press themselves upon them. If their lordships valued the constitution—if they hoped to protect the Irish church, which was already in imminent danger; if they wished to retain the island, they would put an end to all delay, and at once to face a question of this immense importance. Without wishing at all to make the present a party question, he would say that those men were not fit to hold the reins of government who were not prepared to face it, and to declare explicitly what was the policy which they would pursue in consequence, and who were not prepared, in the next place, to act upon that policy. Whoever would so act would deserve the thanks of the country, and should have his humble support. But, if the causes of the distressing situation of Ireland should not be made the subject of thorough inquiry, whatever risk he might run, though it might be to the sacrifice of his property, he should hold it his imperious duty to oppose the continuance of those measures until such inquiry should be resorted to. He had a heartfelt concern for the necessity which compelled him to vote for these bills, which could only be removed if, after this ominous commencement of the new government of Ireland,

measures of a more auspicious, because of a more conciliatory nature, should be applied.

The Earl of *Liverpool* observed, that the noble marquis seemed to complain that their lordships had had no specific and detailed recommendation from the marquis Wellesley laid before them, as to the measures necessary to be adopted. Now, he did not think that any such distinct recommendation from the Crown, or from the ministers of the Crown, was usual in similar cases. The recommendation from the Crown was usually in general terms, that parliament should consider a question; and he did not feel that it could be required of a minister, like the marquis Wellesley, acting on his own responsibility, to recommend to parliament a specific proceeding. He was ready, however, to concede to the noble marquis opposite, that his majesty's ministers might have laid before the House a dispatch from lord Wellesley, with a long and able argument upon the existing distresses of Ireland, and the views which he took of them. One noble lord seemed to think it most extraordinary, that the marquis Wellesley, with all the powers of his gifted mind, should not have prepared some such representations for the consideration of parliament. He had as high an opinion of that noble marquis as any man; he had known him longer than most men, and was entirely aware of the energies of his mind. But he should not have retained so exalted an opinion of those energies, if the noble marquis, on his arrival in Ireland, in January, before the greater part of the outrages in question had broken out, had sent over to parliament a long dissertation on the evils admitted to exist, their nature, character, and extent; and should have so suddenly matured his judgment, as to be able to prescribe what remedies were proper to be applied to them. If their lordships would do the noble marquis justice, they must feel assured that he would probe the evil to the bottom, before he would hazard an opinion on a subject of the most extensive and complicated character, that could be brought under the notice of parliament. Every exertion that the circumstances of this country would admit of had been made to reinforce the army in Ireland. It was now, independently of the militia, very nearly as strong as it ever had been in that part of the kingdom. To oppose force to force was very well, when the opposing force could be collected and brought into action; but how could it avail when the disturbers were spread over a vast district, and the disturbers acted only in small and detached parties? It was not force that was required to suppress this evil, but regulation and police. If the force in Ireland were three times greater than it was, it could not operate its purpose without these bills. The noble lord objected, that these powers might be abused, but there was no power with which man was entrusted that might not be abused. The strong objection which he had made to the power being equally vested in all the magistrates, did not hold in fact: for the powers were not vested in all the magistrates, but only in those of the disturbed districts. He could not agree with the noble baron, that the king's serjeant was no protection against the abuse of those powers. The whole of the objection was grounded upon the probability that the minds of the magistrates would be prejudiced; surely then, the intervention of a power that was not prejudiced, must be a protection. As to the charge of Judge Fletcher, in 1814, which had been referred to, if that learned judge had known the facts which he stated to be true, he should have made them the subject of a criminal information. Had the names of magistrates who could so abuse their powers been reported to the lord-chancellor of Ireland, he had no doubt they would have been struck out of the commission. But it was a monstrous blunder in landlords, to send freehold tenants to Botany-Bay, in order to void a beneficial lease of lives. The only object obtained by that step would be, that if they died, there would be greater difficulty in proving that the lease was voided. This was truly an Irish way of doing business! As to the term of these bills, he was quite satisfied, that if they voted them to the 15th of March only, instead of the 1st of August, one half of their good effect would be done away with. The bill under discussion was an enabling bill; and was only to be exercised to an extent commensurate with the necessity of the case. He would now say a few words on the concluding passage of the noble marquis's speech. It was, no doubt, of the utmost importance that inquiry should be entered upon, and he thought it might be taken as an earnest that the necessary measures would be taken for tranquillizing

the country, that the marquis Wellesley had been appointed to the government of Ireland. But the noble marquis opposite seemed to confine himself to one measure of conciliation, that for relieving the Irish Catholics; but whether his or the noble marquis's opinion on this question was right, he conceived that the evil had a much deeper root in the state of society. It was not so much in the relations between the governing and governed, as in those of a less political character among themselves. Time only could change the condition of men: to render them happy, it was necessary to ameliorate the condition of the lower orders; and he was afraid, to instil into them, if possible, different feelings from those which generally swayed them. This state of things was not an object of legislative enactments, but perhaps might be amended by time. The noble marquis had thought proper to allude to certain differences supposed to exist between the members forming his majesty's government, on the subject of what was commonly called the Catholic question; and he had talked of a compact by which several of his majesty's ministers were supposed to be bound in that respect. He begged leave to say, that no compact existed among his majesty's ministers which could obstruct the free course of any measure that was only presumed to have a beneficial tendency. But it was made matter of charge, that there should be a difference among ministers on such a subject. And from whom did he hear that charge? From those very noble lords who, when they laid before the Crown their plan of administration, in 1806, made it out from among men who were at variance amongst themselves on the self-same subject. Did he impute this as a matter of reproach to those noble lords? Far from it; for he did believe, that no administration could be so dangerous to the country, as one that was indissolubly bound to the support or to the opposition of a measure so difficult and so important. This was a subject upon which he should always speak, in his place among their lordships, the real conviction of his mind, whenever the question might be agitated. If he could believe that the measure of Catholic emancipation was one that would afford real comfort to the people of Ireland, or one, of which the benefit was likely to preponderate over the evil, he should feel neither pride nor repugnance in avowing that his opinion was changed. With respect to the Habeas Corpus Suspension bill, he had the same decided opinion upon it as the noble marquis had. Its necessity was apparent. This was not the case of a local insurrection; it was part of a system that was set in motion by promoters who were not themselves in the field. They were as yet behind the curtain; but, in the meanwhile, they were trying to extend their efforts to every part of the kingdom.

The House went into the committee; in which lord King moved an amendment, the object of which was, to limit the duration of the bill from the 1st of August, as at first proposed, to the 15th of May. Upon this, the committee divided: Contents 15. Not Contents 59. The bill was then read a third time, and passed. The Irish Habeas Corpus Suspension bill went through the same stages, after lord Holland had briefly expressed his strong objection to the passing of such a measure.

HOUSE OF COMMONS.

Monday, February 11.

Distressed State of the Country.] Mr. *Brougham*, in rising to bring before the House the present distressed state of the agricultural, and the other classes of the community, said, he was well aware that he had undertaken an arduous task. He was aware, also, that there were many gentlemen to whom it could have been much better intrusted; and if his hon. friend, the member for Essex (Mr. Western) had not been prevented by indisposition, although differing from him materially in opinion, he should have been well satisfied to have left it in his hands. Between himself and many others, indeed, with whom he had conversed upon the subject, the discordance was so wide, that he found it impossible to avoid himself bringing it forward. He did so at the risk of all disadvantages, of which no man was more sensible, but for the purpose of preserving consistency with the opinions he had formerly entertained and expressed, and which, God knew, in subsequent years, but especially in 1816, 1817, and 1818, had been most wofully confirmed. He feared that, in what he should say, it would be his misfortune to give little satisfaction to any of the great interests of the empire. He hardly entertained a hope that the

agricultural interest would be contented with his view of the subject; because it ran counter to many of their most rooted prepossessions; because it did not admit that their situation, though worse than that of the rest of the community, was peculiar; because it did not adopt the remedies with respect to prices, to which many had so long looked forward; but, above all, because it called upon them to resist the king's government, and to stand up for the general relief of all their countrymen. It claimed of them that, turning neither to the right hand nor to the left, disregarding the quarter from which the relief was propounded, careless of its being opposed, nay, certain of its being strenuously resisted, by his majesty's ministers, they would only look at it with an attention to its own merits, with a regard merely to the facts of the case, and do their duty at length, to obtain relief for their deeply-injured country. It called upon some of them to retrace their steps; but it did not require any man to be guilty of what could strictly be termed inconsistency; inasmuch as the consequences of that policy of which they had been the patrons, and some of them the promoters, and without whose assistance it probably could never have been carried the fatal length to which it had proceeded, were never foreseen by them. It called upon them to reconsider that policy; but, under circumstances so different from those under which it was first adopted, that a wise man, who might at first sight appear to be inconsistent, would, on a thorough examination, be found to have only profited by experience — tardily, perhaps, because experience was a slow mistress even with the most willing pupils; but, certainly, because the firmness of conviction was in proportion to the difficulty of acquirement. It called upon some, therefore, to show that they had taken advantage of the lessons of time, and of events, and to act as wisdom prescribed; but, if the inconsistency were ten-fold greater—if it amounted even to the fair and explicit acknowledgment of an error—manliness would warrant what true wisdom now demanded.

One word as to the time at which this subject was brought forward. If it were asked, why he had not waited until ministers had proposed their scheme of relief, the question at the first view appeared to be reasonable; perhaps he might have found some difficulty in answering it, but for what passed on the first night of the session; but for the foretaste of the project, but for the opening of the principles, and the anticipation of the coming sweets, of the plan of the chancellor of the exchequer. Had not the right hon. gentleman given reason to expect, rather a budget of new taxes, than a reduction of the old ones—had he not maintained, that to remove any of the existing burdens, instead of operating a relief, would be an aggravation of the evil, something might have been hoped even from him. But what could be expected of a finance minister, impregnated with the doctrine, that ruin would follow the removal of those taxes which all classes fearlessly pronounced unnecessary? Perhaps he might be reminded from the opposite bench, of what passed on the third night of the session, when a lame explanation was attempted of what occurred on the first. When, however, a man had heard with his own ears, it was both wise and safe to trust to them. What was reported by another might be mistaken or misrepresented; but he had himself, fortunately, heard the chancellor of the exchequer; and recently after the avowal he had seen him again and again attacked for it, taunted by some, ridiculed by others, inveighed against by all, yet without any endeavour to explain or amend; nay, one of the staunchest friends of the chancellor of the exchequer had gone so far as to assert, that the doctrine thus unequivocally avowed would be the foundation of his vote against ministers. Who, then, could point out a safer or a better rule of conduct, than to believe that this doctrine was at the time sincerely entertained? And it was not because a secretary of the Treasury, an underling of office, eight and forty hours afterwards had been persuaded to eat up again what the chancellor of the exchequer had discharged, that he (Mr. B.) could be persuaded to give credit to the after-thought. If the right hon. gentleman had not intended to be the patron of taxation—if he did not really mean to assert that the repeal of taxes would aggravate the evil—if, indeed, he had been misapprehended and misrepresented in the warmth of debate, why had he left the statement of the error to an inferior member of the government? Why did he not himself, if not at the instant, at least afterwards, contradict it, and not allow an irresponsible coadjutor, a secretary of the Treasury, who was not

a cabinet minister, come down on a subsequent day to declare that his right hon. friend had been grievously misunderstood? Even to this hour, to the sixth day after the strange doctrine had been propounded, there was nothing but the word of the secretary for the Treasury in opposition to the hearing of every member in the house, to show that there had been any mistake or misconception at all. If the disavowal were true, why had it not come from the only quarter which could properly disavow the assertion — that to lighten the burdens of the people would be a public evil? He had a shrewd suspicion that this doctrine, though in words it might be a little qualified, would be found hereafter to pervade the whole of the budget; and he could not help looking forward to the decided interference of the House, as the only chance, the only hope of the country, to prevent that doctrine from being carried into full effect, and shining forth in all its glory in the measures of administration. When, drawn aside by the recollection of this singular declaration, he had been about to observe, that the question why he did not wait for the proposition of the ministers, would have been more difficult to answer, if he had himself had any scheme or plan to propound—if he had had to suggest the employment of any mass of machinery of much detail and minuteness, of complex operation and contrivance—if he had had any thing distinct and positive; in short, anything like a remedy or nostrum (call it what they pleased) to oppose to the existing system, and to obtain from the House the recognition of a principle, the following up of which he might hold necessary to the safety and well-being of the state. If the project on the other side were intended to proceed on the principle which he called upon the House to confirm—that of reducing taxation—no harm could possibly be done by the course he was pursuing: on the contrary, the right hon. gentlemen opposite would be able to carry into execution their plan of diminishing the burdens of the people, under the authority of the House itself. But if there scheme was established on that mischievous and absurd notion, that reduction of taxation afforded no prospect of relief, the sooner the House came to the resolution to defeat such a project, and to sanction the sounder principle, the better it would be for the nation at large. Either way, no injury could result; and, in the latter case, much good might be the consequence, if it only prevented ministers from consuming the next three or four days in making out financial statements, to be laid upon the table, but wholly inconsistent with the situation and prospects of the country.

Having said thus much by way of preface, he would call the attention of the House to what he considered the real situation of the kingdom. And here it would be quite unnecessary to waste time in commenting on the vast amount of the distresses of the country: it would be superfluous to describe the pressure upon the various districts—to prove the wide extent of public suffering and calamity, or to show how heavily, though not by any means exclusively, it pressed upon agriculture. He wished merely to make one or two observations on this part of the subject, because he hoped thereby to remove a prevailing error. All men admitted the great amount of distress. The noble marquis had not denied it, nor could he very consistently do so; seeing that it had been most properly allowed, and lamented in the Speech from the throne. Some persons, nevertheless, (and that was the first mistake) were of opinion, that the distresses were of a local, not of a general nature; and others thought that they were confined to a particular class—the farming interest. Now, he had taken considerable pains to ascertain the true condition of all parts of the empire; and, speaking of England, he had reason to believe that some districts of the north (he did not say the north generally) were suffering less than the kingdom at large. He believed, however, that this more favourable state of things was confined to portions of Yorkshire (especially to the neighbourhood of manufacturing districts), and to the more northerly divisions of the kingdom in an eastern direction, such as Durham and Northumberland. The crops in that part of the country, from the nature of the climate, and other local causes, were sometimes not so well got in as they were in other districts of the kingdom which tended to keep up the price; but, on the other hand, when the crop there was supposed to be extremely abundant, and exceedingly well got in, it tended to produce a counteracting effect, and the prices were reduced. With this very trifling exception, he would undertake to say, that nothing could be more fallacious, than the idea which had fastened on some

men's minds, that the distress was not general; and that the distress, in many parts of the country, was not severe, nay, terrible. Those persons supposed the distress to be confined to the agricultural counties of Kent, Sussex, Norfolk, and Suffolk; and certainly, if he had not heard such an opinion promulgated, he would not have believed that any human being could have ventured on so extraordinary an assertion. The fact was, that the distress, the causes of which he would presently point out, was general. There was another set of persons who adopted an opinion equally erroneous: he alluded to those who contended that the existing distress was peculiarly confined to the agricultural interest. For his own part, he confessed his utter inability to believe that to be the fact. That a little pressure, a passing or trifling distress, might affect the landed interest, unconnected with any other class of the community, was so clear and plain a proposition, that he need not stop to prove it; but that a long and serious course of distress should continue to effect exclusively, one body of the people, and that that distress should not only be of long duration, but that it should appear to be progressively increasing, was what experience did not authorize any person to believe. The distress in 1816, was pretty nearly the same as was now described; but it was impossible that such distress should endure for six years—that its weight and pressure should be severe on the agriculturists—without affecting, most decidedly, every other class of people in the country. It originally bore hard on the growers of corn, but now it affected all those who were in any way connected with the soil. The fact he believed to be, that the pressure at the present moment was felt more by the stock than by the agricultural farmer. Now, that distress of so severe a nature, and of such long duration, as that by which the farmer had been visited, should not in its effect sensibly touch every other branch of the community, was a proposition which he freely declared his inability to comprehend. It was so much beyond possibility—so far removed beyond the reach of reason—that he must express his decided denial of it. The contrary of such a proposition was so clear and evident, that, however an improved, or a supposed improved, state of the revenue, might be urged against his view of the subject, still this statement of the national resources had no more effect in altering his opinion, than if no such figures had ever been brought forward. If any one large branch of the community suffered by the pressure of the times, it was a necessary consequence, arising from the intermixture of all parts of society, that other classes must also be injured; but what must be the effect, when the body which most complained of distress—when that class of the community which suffered so generally, and for so very protracted a period, comprised neither more nor less, than the whole of those persons who were engaged in the cultivation of the soil? Was it possible, when this was the case, that the home market should not be greatly contracted by a distress so general? The fact could not be doubted; and to counteract that depreciation, little in his opinion, would be effected by opening the sources of foreign trade. He was aware that foreign commerce presented many powerful stimulants to exertion and industry. He would not go over these, because he was convinced that, after all, it was the internal market for its manufactures which was of most importance to this country; and, to tell him that the home market could be in a flourishing state when the chief customers of the manufacturer were ruined, was to assert a proposition which, on the first view, presented a contradiction in terms. He was convinced of the justice of this remark by information which he had recently received from some of the manufacturing districts. Those who afforded him that information did not, indeed, state, that the manufacturing interest was so badly off as might be supposed; but they complained, that the demand of the agricultural interest for their commodities was very much contracted; and they farther stated, that the profits generally received on manufactures, and on the stock employed by such manufacturers and traders, as had turned their attention to the foreign market, were very much reduced indeed; that they had fallen greatly below the amount which characterised a period even of moderate prosperity. There had, very recently, been a meeting of the iron-masters and manufacturers of Birmingham and its neighbourhood, for the purpose of considering what steps it would be proper to adopt with reference to their greatly diminished profits. The gains of the best of them had been extremely scanty, and many of them had

lost considerably. Their balances for the last Christmas appeared to be about six per cent. less than they were at the Christmas preceding. They turned their attention seriously to their situation, and the expedient first proposed was, to contract the extent of production; or, in other words, to lessen the quantity of goods manufactured, so as to bring it on a level with the demand; and for that purpose to give up a considerable proportion of their furnaces. This, in effect, was nothing more nor less than lopping off and annihilating a large proportion of the iron-trade. The resolution was not, however, agreed to. The parties interested were anxious not to reduce the trade: they wished, if possible, to carry on the manufacture as they had heretofore done. But the resolution they ultimately came to was, to reduce very considerably the wages of their workmen. He only mentioned this, as one instance amongst many, to show that distress pervaded every class of the community. He introduced it rather as an example, than as a proof, of this fact—that if the agricultural interest was suffering, as he knew it was, and had been, it was quite impossible that all other branches of society must not suffer likewise.

Seeing, then, that this overwhelming distress pressed more or less on all classes of the community, they were led to ask, what it was the government had been doing, during the last twenty or five and twenty years, which had produced such a result? The House would perceive, in what he was about to offer, that he was not entering into any thing like a minute detail with respect to their financial or commercial policy during that period. But there were certain broad and undeniable facts, plain matters that could not be controverted, much less overturned, and which clearly proved what they had been doing during the period he had mentioned. To these he would call the attention of the House in a fair and correct statement, whatever offence it might give to those who were intimately connected with the transactions which had placed the country in its present situation. He held it to be perfectly true, that no man, or set of men, could, with a just view of the finances of the empire, with a proper regard for its general revenue, its prosperity, its wealth, and above all, for the revenue of individuals, which was the only solid and safe foundation on which the revenue of the state could be built—he felt it to be a complete truism, that no man, taking a correct view of these different points, could think of persisting with impunity in the course which government had pursued for many years. He would only take three years; and these he did not select as a sample of the whole expenditure of the country; but he would take those three years as the period during which the system to which so much mischief had been justly ascribed had been raised to its utmost height. The years he alluded to were 1813, 1814, and 1815. The expenditure of those three years was, on an average, 132,000,000*l.* a year. In this sum he included the expense of managing and collecting the revenue, amounting to somewhere between four and five millions a year. He included that sum, because they would take a narrow and inadequate view of the expenditure of the country if it was omitted. It was money levied on the people for the service of the state. It was expensive to the subject as a matter of money; it was expensive to the constitution in point of right. It had, in fact, every quality of revenue, whether considered in a financial or constitutional point of view: and, therefore, in stating the expenditure, it ought not to be passed over. During those three years, then, the annual average expenditure was 132,000,000*l.*; and if they added to that sum the parish and county rates, which averaged 8,000,000*l.* per annum, they had a total of 140,000,000*l.* yearly, for no less a period than three years. That sum was taken from the pockets of the people—how equally he would hereafter explain—by taxes, which applied to those who possessed income, and by the operation of loans on those who had accumulated property. How was that immense sum spent? In describing the manner in which it was expended, he would not, in the first instance, use a harsh or disagreeable epithet. He would not speak of the disbursement of the public money in the way it deserved, until he had shown, by a reference to the opinion of a committee formed under the auspices of ministers themselves, what epithet was fairly due to it. The average expenditure of those three years was 140,000,000*l.*, wrung from the income or the savings of the people; and in one of those years, 1814, the almost inconceivable sum of 145,000,000*l.* (all items included) was disbursed. The expenditure, exclusive

of the interest and charge of the debt, amounted on an average to 83,000,000*l.* a year (during those three years), and the average revenue during the same period was 84,000,000*l.* a year; being one million over and above the ordinary expenditure. So provident was the system, so prosperous the affairs of the country, so natural the situation of the empire, in a financial point of view, that ministers were content to expend 83,000,000*l.*, leaving only 1,000,000*l.* to provide for 60,000,000*l.* more which they were obliged to borrow; the average revenue being only 1,000,000*l.* more than the sum laid out. Now, if a man in private life, having an income of 10,000*l.* a year, went on increasing his expenditure till the interest of the debt which he incurred amounted to 5,000*l.* per annum; and if he still continued to spend the sum which should be employed in liquidating that interest, so that he was compelled every quarter to borrow money to meet his creditor, that individual would be precisely in the same situation in which the country was placed at the period he mentioned. The epithet which would be applied to a person who so managed his affairs he would not repeat, because he did not wish to utter any expression that might be offensive to the House; but, as the more delicate and decorous mode of proceeding, he would call on gentlemen to consider what they would think of a man who went on in the manner he had stated. Let them figure to themselves an individual giving such a statement of his affairs as he had pointed out, whether he was a trader, a manufacturer, or a farmer; let them reflect on the terms they would use in speaking of such a person, and he was convinced that they would see the propriety of applying terms of a similar nature to the management of the resources of this country at the period he had specified. He was unwilling to speak of the care and attention with which those enormous sums were spent. Having seen upwards of 400,000,000*l.* expended in three years—having seen, in those three years, 250,000,000*l.* of revenue laid out, independent of loans—having witnessed the expenditure by the government of immense sums extracted from the pockets of the people, sums of such magnitude as staggered one's credulity, and almost turned one's head to contemplate, he felt most unwilling, in his own person, to declare, whether it was a wasteful expenditure, or one of a wise and prudent character. He would much rather state, from higher and graver authority, in what point of view that enormous expenditure had been considered; and, with that object, he would call the attention of the House to the report of the Finance Committee of 1817. He would rely on the judgment of that committee, whose opinion, with respect to the national expenditure, he would now take the liberty to state. Let it not be forgotten, that the committee was not chosen by the opponents of ministers—that it was not selected from amongst those who were accustomed to dissent from their measures, or to thwart their views; but that the far greater proportion of its members were connected with the right hon. the chancellor of the exchequer, and nominated by the noble lord opposite. There were undoubtedly some independent and impartial individuals on that committee; but, for the most part, it was composed of gentlemen who must have been most willing hearers of any defence which could be set up, in support of the system of extraordinary expenditure, and who were acting in office with those by whom that system of expenditure had been commenced. Their conduct in coming to the report which had been laid before the House was not that of admission, but of absolute confession. The report was the confession of those who were most intimately connected with the parties whose proceedings they were sifting and investigating; and many of the persons who agreed in that report were themselves parties to what had previously been done by ministers.

He would not trouble the House with many extracts from the report of that committe, but he entreated their attention to the character which was given of the manner in which the finances of the country were applied at the period to which he had alluded. Under the head of "extraordinaries" the following passages would be found:—"Your committee learn, that works, buildings, extensions, and repairs, have been undertaken and executed, both at home and abroad, in a manner little checked or protected against profusion and waste; in many cases, without any estimate or general plan, and sometimes extended, according to the statement of an officer of the Ordnance who attended the committee, 'as views opened during the progress of the work.'" This was indeed

a faithful and accurate representation of a wise, economical, and careful expenditure! No check—no protection against profusion and waste—no estimate or general plan—but the expense left to adjust itself to the opening views of those who conducted the works! Parliament, which should be accountable for the disbursement of the public money, was not consulted on the matter. No, the expense was left to adjust itself to "the opening views" which might, from time to time, dawn on the minds of those whose emoluments became greater in proportion to the magnitude of the sums expended. The report went on to state—"The lines at Chatham commenced under an expectation of their requiring no more than 50,000*l*., Plymouth-lines, Spike-island, and the dépôt at Weedon-beck, may be taken as examples, with the addition of Gibraltar, in the foreign department." There was in the passage which he was now about to read, more sound and valuable wisdom, more accurate knowledge, the fruit of experience, a more awful warning to that House, than a man would be able to impart, if he spoke for half a century, although he were armed with the powers of an angel. Here they had the friends of ministers, the accomplices in their extravagant expenditure, after duly investigating the subject, coming forward with their eyes open and stigmatising, in the strongest terms, the course which they themselves had previously pursued. This was their own confession; this was their own declaration, the offspring of melancholy experience. It spoke but one language—it said, most emphatically, "Beware of the course which you have heretofore pursued." "If (continued the report). "the whole sum required for these great works, or even for any one of them, had been at once submitted to the House, by regular estimate, there would have been an opportunity of considering the propriety of undertaking them, and of making previous inquiries with regard to three essential points;—1st, As to the security or means of defence intended to be obtained." That was, to inquire whether the least benefit was likely to result from the erection of such works, "2ndly, As to the probability of the works in question effecting such security or means of defence." Here were two most material points for consideration: first, whether any such works should be allowed; and, next, if works were deemed necessary, whether those recommended were of that specific kind which were calculated to ensure the security contemplated. The third point which the report stated would be gained by the production of regular estimates, was an opportunity of instituting an inquiry "as to the value of the objects to be accomplished by those works, compared with the amount of the sums required for their completion; taking into consideration the probability of their being brought into use, in consequence of any operations of an enemy." The report next stated, that "the irregular mode of proceeding, which unfortunately prevailed during the time when all of these great works were begun, has had the effect of keeping the House in total ignorance as to the ultimate charge for any one of them; and in the Ordnance-office itself there appears to have been no sufficient document for taking a comprehensive view of the whole plan, with a detailed estimate annexed." The report in the next place, set forth, that 9,029,333*l*. had been expended in this irregular and unsatisfactory manner; "while the utility of these vast works was never put to the proof in the various chances of the late war." And it farther stated, "that the committee should look at an inquiry of this nature with much greater anxiety, if they could conceive that the defence of the united kingdom either ought to rest, or was ever likely to depend, materially upon fortresses and garrisons. A powerful fleet, and an unconquerable spirit pervading a numerous population, with the means of arming and training whatever proportion of that number may be required for any emergency, afford better security against foreign invasion, than can be derived from the most perfect system of lines and towers, which could be applied to every part of our extensive coast." Now, the plain English of this was, that the works in question had proceeded on a totally wrong principle—that no such works ought, in fact, to have been attempted—and that, if security were at all to be obtained from defences of this kind, the works which cost the public such an immense sum were not sufficient for that purpose. The plan was bad, but the execution was so much worse, that if any good could possibly be derived from the former, the latter effectually prevented it. Such was the opinion of the Finance committee; and the evident meaning of the passages he had read was this—"That if you, the

House of Commons, had refused supplies, until the estimates were laid before you—if you had considered the necessity of erecting such works before you voted away the money of your impoverished constituents—if you had taken those fair precautions which men of common honesty would have adopted—those works never would have been attempted—this monstrous evil would not have existed—those millions, wrung from the industry of the people, would not have been uselessly squandered!" for he would now use that expression, on the authority of the Finance committee. In the three years, then, 1813, 1814, and 1815, the average amount of revenue was 84,250,000*l.* yearly, and, the county and parish-taxes being taken into the account, the sum annually raised was 92,000,000*l.*; forming a total, in those three years exclusive of county and parish-taxes, and of loans, of 252,000,000*l.* and, including these, of 276,000,000*l.* a year, which were extracted from the pockets of the people.

These sums almost defied imagination; but, a comparison with the expenditure of former periods would teach the House to estimate their excessive magnitude. When Mr. Pitt brought forward the sinking fund, the national debt was, if he recollected rightly, 238,000,000*l.* Now, here they had an expenditure, in two of the three years he had mentioned, so extensive, so vast, that it would have been sufficient to pay off the whole of the national debt, as it stood at the commencement of the French war, as well as to defray all the expenses incidental to the government of the country. Peace had now arrived, but unhappily without bringing in its train the blessings which were usually its attendants. It was customary, after a country had been drained of its resources—after such an inordinate, such an unnecessary expenditure, as had placed its affairs in a lamentable state of confusion, as had deranged, in an alarming degree its property (and here he spoke not to the alteration of the currency, a large chapter to which he would come presently)—a derangement, which the bare expenditure of so much money, raised by loan or by taxation, was sufficient to have produced—it was undoubtedly expected, when, after such a struggle, war had ceased and peace was restored, that measures should be taken to diminish the burthens of the people. When they examined the subject, they must be surprised to see how very little had been done for the purpose of diminishing those burthens. He would now leave out of his calculation all reference to the alteration in the currency. He would suppose that it had remained stationary from 1792 to the present time. Now the whole expenditure of the year 1820 was 75,000,000*l.*; the whole expenditure of the year 1806 was 79,500,000*l.*; so that the only difference of expenditure between a period of profound peace, and a period of active warfare, was 4,500,000*l.* To that extent only had the country been relieved. Compare this with the expenditure of the year 1804, a very expensive period, as it was the second year of war. In that year the expenditure was 76,000,000*l.*, being only 1,000,000*l.* more than was expended in the fifth and sixth years of peace. Certainly this country was never before in such a deplorable situation. We had been at peace for no less than six years, and yet the expenditure was only 1,000,000*l.* less than was required in the second year of war. The revenue, in 1820, was a fraction under 60,000,000*l.*; in 1821, it was, as they now understood, 61,000,000*l.*, being an increase of about 1,000,000*l.*, including the Irish revenue. And here he must be permitted to say, that the increase of the Irish revenue was by no means so great—that the state of that revenue did not present so flattering a prospect as the right hon. the chancellor of the exchequer had described; because it would be found, that although the revenue of last year, as compared with 1820, presented a rise of 500,000*l.*, yet that it was, with reference to the amount of revenue two years before, almost as much as 500,000*l.* short. The nett revenue of Ireland in 1818 was above 5,400,000*l.*: in 1820 it was 4,500,000*l.*, in 1821 it was under 5,000,000*l.* He had already stated, that the revenue of this country raised by the taxes, independent of loans, was this year 61,000,000*l.*, and last year 60,000,000*l.*, including the expense of management and collection. From that sum he entirely separated various allowances, discounts, and drawbacks, which were levied on the people; some portion of which was repaid, and some not paid at all. The revenue, this year, was, it appeared 1,000,000*l.* more than the last; which, making no allowance for the change of currency, was about a million greater than it was in 1806, the amount in that year and

in 1820 being nearly the same. So that in the fifth and sixth years of peace, after a war of unprecedented magnitude—they were draining from an impoverished people, last year, the same amount of taxation, and this year 1,000,000*l.* more than was raised in 1806, which was the fourth year of war.

He now came to the most important part of the question. And here it was necessary that he should go back to the year 1797, in order to trace the evil which afflicted the country to its very source—in order to combat that gross absurdity in argument, and that gross injustice in fact, which was pertinaciously adhered to by some individuals, who contended, that the returning to a metallic standard of currency created the existing distress; whereas the truth was, that the great origin of the evil must be sought for in the departure from that standard. He would in due time state his opinion on the subject of restoring the metallic standard; but here he must decidedly state, that whatever the effect of that restoration might have been, the grand mischief was occasioned by departing from the acknowledged standard of our currency. At first, the effect of the new system was not distinctly perceived; but, in the course of two or three years it was sufficiently manifest. In 1800 the evil had mounted to such a height, that its operation on the foreign exchanges became most evident. He would proceed to elucidate the subject by the reports of two committees which were appointed in the years 1810 and 1819. He meant not to assume any thing as a *datum* unless it was sanctioned by the authority of both these committees. In 1810, the Mint price of gold was 3*l.* 17*s.* 10½*d.* an ounce; and the market or bullion price of gold was 4*l.* 5*s.* being a depreciation of 9-10th per cent. It afterwards fell still more, and fluctuated very much; and those fluctuations were not the least evil of which he complained, since they had a ruinous effect with respect to the land-owners, and, indeed, with reference to every class of the community, except those who dealt in gold, and might be denominated the managers of the monied interest—of which a word hereafter. He could point out one year in which there was a fluctuation of 30 per cent—a fact which was directly in the teeth of the statement made by the chancellor of the exchequer, who proposed a resolution in 1811, which, acting under his sanction and authority, the House agreed to; declaring, that the bank note had never been depreciated—that gold was never cheaper, and the bank-note never dearer. Thus a state of things grew up, which no well-regulated government would have suffered to exist for one month; but which many gentlemen in that House prided themselves on having supported for ten or twelve years. The price of bullion, as estimated by the currency circulated in 1811 and 1812, showed a farther depreciation. In those years, the market price of gold was 4*l.* 19*s.* 2*d*½. on an average, being a depreciation of 27 in the hundred. The revenue in those years was 73,500,000*l.* If, therefore, he wished to find out how much that nominal sum amounted to in real sterling gold, for the purpose of stating what the people absolutely paid in 1811, and 1812, and also to show what they contributed in 1822, it would be necessary that he should diminish the sum in the ratio of 27 per cent, which, together with 3,500,000*l.* of new taxes, formed an aggregate of 19,800,000*l.* This sum being deducted from the gross amount of revenue collected in 1811-12, left a total of 53,700,000*l.*: so that in those years of war, the people actually paid 8,000,000*l.* less in gold than they paid in the present year, and 7,000,000*l.* less than they paid in the year preceding. Taking the average of the two years, they paid, in 1820-21, between seven and eight millions more than they did in two years of determined warfare. He might, if he pleased, take the depreciation at a considerably lower rate than he had done. He might indeed, take it at 4*l.* 11*s.* 4*d.*, which, if applied to the diminution of 73,500,000*l.* of nominal revenue, would show that the people were now paying in solid guineas or sovereigns a much larger sum than they contributed in 1811-12. At that period, a war was raging all over Europe—a war of such immense magnitude as was previously unknown to this country. Every sea was covered with our fleets—every part of the world was filled with our armies, or the armies of our allies; and every court was enriched by our subsidies. We were then surrounded by vast perils—great battles were fought abroad—and at home, we were not free from danger and apprehension—"Plenum variis casibus, atrox prœliis, discors seditionibus." Such a period, one would suppose, must be very unfit to stand in comparison with a period of repose—to

be placed in competition with a time of profound peace. Still, when they did compare the two periods, they would find that the burthens which weighed down the people—that the sums which were taken from their pockets—were actually greater in the time of peace than in the time of war. He would go still farther, and say, that he had no objection to institute a comparison between the amount of money now levied on the people, and the sum that was exacted from them during the most expensive period of that most expensive war. What would the House think when he asserted, that though in the years 1813, 1814, and 1815, three years of an inordinate expenditure —three years that had been alluded to particularly in the financial report, when ministers were squandering away 140 or 150 millions annually, and levying on the people a money sum of 80 millions —what, he asked, would the House think when it was rendered as clear as that two and two made four, that the country was, at the present moment, paying as much in taxes as it paid at that extravagant period? Five pounds per ounce was the average price of gold in those three years, being a depreciation of 28¼ per cent. Now, if they supposed the revenue of those years, being 84,500,000*l*., to be levied in a bullion or money currency, and not in a currency depreciated 28¼ per cent they must deduct 23,500,000*l*., which would bring the revenue, during 1813, 1814, and 1815, to an average of 61,000,000*l*. per annum, at par, which 61,000,000*l*. was exactly the sum that the people now paid, and which the chancellor of the exchequer would, ere long, boast to the country that he was reaping from the taxes. Considering this question with reference to the year 1819, a very great rise would be found to have taken place under the monied system. He did not mean to argue that the proceedings of the committee of 1819 had entirely caused the rise in the price of gold. Undoubtedly, as far as its labours tended to produce a restoration of the metallic standard, to that extent it created the effect to which he had already alluded. Between 1819 and 1822, the measure agreed to by parliament operated to raise the real amount of taxation to a sum which answered, on the nominal amount then levied, to 3,800,000*l*. So by the operation of this measure in 1819 they raised the taxes very nearly 4,000,000*l*. a year, pretending at the same time not to raise them at all. No: so far from seeming to think that this operation had raised the taxes—marvellous to tell —when this increase took place, that was the very time chosen by ministers, and by the House of Commons who supported them, for adding 3,000,000*l*. more to the taxes, that we might be completely bowed down and crushed to the earth. This too, they did completely in the dark. When they were perfectly ignorant of the operation of the other measure, or the extent to which it might proceed; they aimed this blow in the dark; ignorant of what quarter it might strike, or with what weight it might press upon particular classes. Instead of watching the effects of a restoration to cash payments—instead of abstaining from further taxes, at least till they were sure of the income in an improved currency—instead of waiting to calculate the amount to which the serious alterations then made might affect the various classes of tax-payers—instead of ascertaining whether the sums already enforced could be actually levied,—that was the very time chosen for imposing 3,000,000*l*. more, as if the 4,000,000*l*. were not already sufficient.

Now, what he wished, should be particularly attended to in the further observations which he had to offer, without any reference to what appeared differently to different minds, without referring to the particular alterations arising from a change in the currency which affected prices generally, on which he regretted to differ from some able and excellent members of the committee; but taking it on their own ground, as a change indicated by the return of the market-price of gold to the Mint-price, as manifesting by its rise only the depreciation of the currency previously—without reference to this, what he wished to be now understood were these two points: 1st, That by the operations of the currency up to 1819, the taxes were increased 4,000,000*l*.: 2ndly, That from 1814 to 1819 prices were nominally falling. There prevailed a very great difference of opinion with respect to the effect of taxation. Some opinions upon the subject refuted themselves; others, every day's experience was sufficient to refute. But there were some points in which all must agree:— 1st, That great expenditure has the effect of raising prices, and that not merely while the great expenditure is going

on, but after it has ceased: because, when the expenditure is great, the spending is either from the income, or from the accumulated capital. If it be from the income, the profits of the accumulation of capital are taken away. If from the capital, it destroys to that amount, not physically and absolutely, but on the whole, it destroys a sum falling considerably short of the apparent amount, but it makes a great destruction. The consequence is, that the capital is diminished and the profits increased, by a rule as old as political speculation in modern Europe, a rule of which no man was ignorant for the last twenty or thirty years — namely, that profits are in the inverse proportion of the amount of expenditure; or, what is equally clear, that there must be an increase of profits with a diminution of capital stock. This, then, was one obvious effect of taxation — it raised prices by diminishing either the accumulation of profits, or the amount of stock. In the next place, taxes affected the community not as necessary expenditure, but in another way. He doubted whether any man alive could deny,—whether even the right hon. the Chancellor of the Exchequer, who was the guardian angel of that department, could deny, that if he imposed a tax, it injured in proportion to the amount of that tax. Taxes paid to the amount of 61,000,000*l.*, by so much, undeniably, reduced the comforts and enjoyments of the payers. But it was equally undoubted that this amount of taxes had another effect, and to that effect he particularly requested their attention. When a tax is raised, the person who first pays it must increase his capital, or diminish his transactions. A larger capital is therefore required for the same extent of business. Take a maltster, for instance, or brewer; the old duty on beer was 10*s.* 6*d.* It was raised to 18*s.* 8*d.*, and to 34*s.* It was again taken down nominally 16*s.*, but really much less. It was raised again 8*s.*, so as to stand at present at 28*s.* per bushel. If, then, the tax he viewed were raised from 10*s.* 6*d.* to 28*s.* the maltster requires to raise his capital in proportion. The consequence of this necessity — a consequence proved by experience and by the papers on the table of the House — was the exclusion from the trade of the smaller capitalists, by which the larger capitalists were better off. But the public were not better off; for the competition of small capitalists was the only means of preventing the great capitalists from monopolising and making exorbitant profits. Here, then, was the second effect of taxes. They had the obvious effect of excluding small capitals from trade. The fact was at once proved and illustrated by petitions on their table, opposing a reduction of taxes on this very principle. There had not been a recent reduction of taxes without some persons praying the House not to reduce them. Let the leather-tax be taken as an instance. "Oh, don't take off the leather-tax," prayed the large capitalists, "you'll ruin us if you do." They did not tell their reason for resisting this reduction; that would let out the secret; but they attempted on other grounds to prevent it, and their petitions were always well-received by the Chancellor of the Exchequer and his friends, who were sure to laud the petitioners as the most judicious, impartial, disinterested set of men; they were exclusively the solid, rational, disinterested tanners; but they who prayed for the reduction of the tax were "ill-informed" persons. The farmer prayed to be relieved from the leather-tax, because it fell on his farm-gear, and the small dealer, because it excluded him from the trade; but the great tanner cared not one farthing for the farmer, and less than a farthing for the small tanner. If the archives of the Exchequer were searched, the imposition, increase, or continuance of taxes would be traced, not to the philosopher certainly, nor to the consumer, whose interest was obviously opposed to it, but to dealers in a great line of business. He did not mean to say that every one acted so; but this was generally the fact.

The last effect of taxes to which he wished to call the attention of the House, was, that they increased prices as well as capital. Every one who paid a tax advanced the price to the consumer to that extent and more. If the tax formed a fraction of the price, such as 5¼*d.*, the consumer was charged 5½*d.*, perhaps 6*d.* The trader made the consumer pay for the advanced capital, and for the advance to government. If the tax falls on the manufacturer, he imposes the taxes which he pays over to government on the immediate purchaser, and the purchaser on the consumer of the productions, and imposes them without much nicety. So that they

increase like compound interest, rounding sums as they proceed, and increasing in a geometrical ratio the augmentation or rather reduplication of taxes, till the last consumer can form no notion of what the original tax was. In this way the tax first imposed by the government increased as it advanced, till it fell with all its augmentation, or rather, as he had said, reduplication of amount upon the consumer. Now this threefold operation of taxes he really considered as the cause of public distress. They had seen that enormous expenditure of taxes increased prices — that the subsequent increase of capital and prices threw men of small capital out of business, and increased the burdens of the public — and, that the sums levied operated, not in the proportion of payments made to the Treasury, though those payments, when 61,000,000*l.* were paid, were enough to account for distress, but that more than government did levy, or meant to levy, fell upon the community. When in 1792, the income of the state, including Ireland, was 18,000,000*l.*, the contribution was a considerable portion taken off from a gentleman's income of 10,000*l.* a-year: but that fell very far short of his proportion of 61,000,000*l.* a-year. The last proportion necessarily left him less to apply to his comforts and enjoyments, less to sink his debts, less to maintain his credit. But this gentleman paid incalculably more, over and above his payments in 1792, than the increased proportion of 61,000,000*l.* over the proportion of 18,000,000*l.* He paid more, first, by the increase of prices; and secondly, as a producer, the expenses of cultivation being increased. He first paid by the increase of taxes: he next paid as a consumer by the increased prices of what he consumed: he lastly paid as a producer, the expenses of the cultivation having been raised. His returns had naturally fallen to what they were in 1792; but his establishments, his expenditure, his taxes, were increased fourfold, and that left little to marvel at the distress which he now felt.

By the total amount, then, of taxes, the country was distressed, it was further distressed by the greater amount it paid in taxes than was produced to the state. Nevertheless, as the inequality of the taxes did exist, and as the farmer belonged to the class on which taxation fell, and had always fallen, with unequal severity, it became necessary to attend to this view of its operation. The remedy of reducing rents had been resorted to: it had arisen from feelings which could not be too much commended. But as that reduction had become quite necessary to the farmer, so the undiminished rents were necessary to the landlord, and the utmost reductions which could be made were inadequate. The farmer complained of the fall in the price of produce. Wheat sold 20*s.* per quarter lower than he could afford for growing it. Suppose, then, it was at the least 10*s.* per quarter lower than the price at which the farmer could afford to grow wheat, and that unless the price should be increased to that amount, he loses by growing it. He thought the loss much greater, but he would take it at 10*s.* Supposing, then, an acre produced three quarters, here was a sacrifice of 30*s.* an acre. This increase of present prices he required to recompense him in the produce of wheat. What relief, then, could he have from lowering his rent? The whole rent was not 30*s.* The average rent was nothing like it. What did it avail, then, to lower the rent 20, 25, or even 30 per cent? Could any such reduction compensate the farmer for the increased price in all the means of production? If, taking the years of 1793, 1794, and 1796, and comparing them with the three last years up to this time, the rise in the price of production amounted almost to cent per cent, was it astonishing that the tenantry of the kingdom were depressed? Or, was it to be presumed that a reduction of rent to the greatest possible amount to which it could be carried, could effect any alleviation? No: from such a source no remedy could be expected. The attempt must be ruinous to the landlord, without affording any effectual relief to the tenant. And whilst he was on the subject of the reduction, he must add, that, where reductions were made, instead of any general average, it would, in the majority of cases, be far better, both to landlord and tenant, to examine into the particular circumstances of each farm, and on the result of that examination to determine the exact amount. From local circumstances in various parts of the kingdom, a general average was not applicable. If the great cause of agricultural distress be the increase in the price of production —and if the depression be such as to demand immediate relief—what imports it to the cultivator of the land, whether

that relief reaches him either in the shape of an increased price for the commodity, which he grows, or a diminution in the expence of production.—He would put a case. A farmer raises 100 quarters of corn, for which the remunerating price was 60*s.*; if, in the shape of relief, he received a fall of 10*s.* per quarter in the expence of the production, it can make no difference to him whether he receives 60*s.* without the relief, or 50 with such a diminution in his expenditure. It was true, that he would have, on the side of nominal income, less to receive; but then, his outgoings also would be proportionably reduced: he would receive less for his produce, but he would have also less to pay in the market of labour, less to disburse in the price of all those articles which were essential to the management of his concerns. He rested this case on the assumption, that a choice existed between the two modes of relief; namely, an increased price of the commodity which the farmer grew, or a diminution in the expence of the production. The fact was, however, that such an option did not exist. To raise the price of the commodity which the farmer grew he pronounced to be impossible. The experiment had been made, and the House must now see the result. When it was introduced, he was one of those who considered it wisely and justly introduced; because it was of the first importance, at the close of such a war, and before there was time for the reduction of establishments, to give the grower a remunerating price. But if the close of the war was the time for such an experiment, the hour had now arrived when every effort must be resorted to, to lower to the lowest scale the establishments of the country, in order to relieve all its industrious branches from that burden of taxation which overlaid them. Even were it possible to raise the nominal price of corn, he should doubt of its expediency—but that discussion was nugatory, as the thing was altogether impossible. He need hardly remind the House of the circumstances that attended the rise in the price of corn in this country from 1792, to the year 1814. It was, in the recollection of the House, that during the latter year the board of agriculture addressed a circular to the various counties of England. The answers to that circular were embodied in their reports, which were laid before parliament. In these reports it was demonstrated, that the same quantity of labour, which in 1792 cost 85*l.*, rose in 1803 to 118*l.*, and in 1813 to 160*l.* With respect to the year 1812, it was but justice to the argument to add, that that year was the period of the greatest depreciation in the currency. Allowing for the amount of depreciation 25 per cent, and subtracting that sum from the rise in the price of labour, it would leave the calculation thus—that the same quantity of labour which, in 1792, cost 85*l.*, in 1814 cost about 125*l.* Between that period and the present time, there had certainly been a fall in the nominal price of labour, but not to the amount at what it was in 1803. He was not far from the mark in taking the rise in the expences of cultivation from the years immediately before the war to the present at an increase of one half. In taking it at that amount, he felt he rather under-rated, than over rated it; but when he added to that amount the poor rates, and which must be viewed in the light of an increase of the price of labour, the result was, that the expences of cultivation had risen two-thirds, or were even doubled. The amount of the pressure arising from taxation being undisputed, there was abundant reason why every branch of the public economy looked forward to that relief which a thorough retrenchment could alone effect. But on no classs did the pressure so seriously lie, as on the agricultural body; indeed, there were special causes why the same weight, falling on the other branches, could not, in its effects, be so injurious as to them. The agriculturist was very differently circumstanced in the control of his concerns from the manufacturer. He did not, like him, possess the power of accommodating his supply to the demand. There were causes intrinsically affecting his concerns which gave him far less power over them: he was exposed to the operations of the seasons, and to all the accidents of the elements. Besides all these, the House would see that the imposition of a tax on a falling market must be injurious to the grower of the commodity, inasmuch as he was unable to shift it on the consumer. He was at the mercy of those fluctuations, to counteract which the manufacturer could provide, by the limitation of the supply to the demand. It had been said, and said justly, that low prices tended to relieve themselves. In such a state of things

the manufacturer looked for his profit in a more extended consumption; and so would the agriculturist also, did not the operations of the exchequer interpose. He would find his compensation for a fall of price in a more extensive sale, did not the tax-gatherer interfere between the natural relation of cause and effect. By such interference, the agriculturist was shut out from that natural remedy which was open to every other branch in any depression of the prices. When the tax was so great as to form a great proportion of the price, the consumer was not affected in the same degree as the grower. Let them suppose that no tax was laid on sugar; or he would rather take malt, because it was more germane to their feelings. It was once during the war 34*s*. It was now 28*s*. The barley was 20*s*. or 21*s*. If they had no chancellors of the exchequer, happily for the farmer or consumer, barley would be purchased from 25*s*. to 20*s*., and a great deal less. The prices would be lower, but the quantity sold would be much greater. But unfortunately, there were chancellors of exchequer, and, therefore, the fall of prices was much less than one-fifth. The fall of 25*s*. to 20*s*. gave a reduction of one-fifth. But when they added the immoveable tax of 28*s*., the fall was only five in 49 or 50*s*., that was, instead of one-fifth, one-eleventh. The fact was so, as well as the reasoning. It was sometimes alleged, that propositions which were undeniable in theory were not found so true in practice. Of this a notable instance was the fact, that in the exchequer two and two sometimes made only two. The consumption of malt in three years, ending in 1797, had been 3,500,000 quarters. That fact was found in the right hon. gentleman's own documents. But in the last three years but one, in 1818, 1819, 1820, the consumption had been 2,920,000 quarters, giving a falling off of one-seventh. That single fact was enough for him. But there was one circumstance to be considered, which, instead of overturning the argument, or stepping between its facts and their force, increased its power, and pointed its application. But for the taxes there would have been a much greater fall than one-fifth, and consequently a greatly increased consumption. The population, by the last returns, had increased astonishingly since 1811. The increase in Great Britain was from 11,954,000 to 14,069,000. In 1801, the population had been 10,500,000. It was below the mark if they estimated the increase since 1792 at 400,000 or 500,000 more. Here, then, was an increase of 4,000,000—an increase from 10 to 14, but the consumption of malt had fallen in the proportion of one-sixth or one-seventh. If instead of 2,000,000 quarters, or 3,000,000, we consumed very nearly 5,000,000, there would be no positive increase. It would be only the same proportional demand. But while the population increased, the consumption decreased. If this did not speak volumes as to the fact, that laying taxes on produce diminished the consumption—if any one doubted, in the face of this, that taxes curtailed the comforts of the consumer, without benefiting the exchequer—if he doubted that prices and consumption would reciprocally operate upon and relieve one another, but for the taxes—he was one with whom it was needless to reason—he was as much beyond the reach of reasoning suggested by experience, as the bulk of mankind was beyond the reach of any other sort of reasoning. The taxes, then, which in this way fell with peculiar injury upon the farmer, were extremely heavy. Beer and spirits formed an immense amount. He paid taxes for various articles required for beer, as hops, malt, and beer duty. For these, excluding the tax on spirits, from 8,000,000*l*. to 9,000,000*l*. were paid. These and spirits yielded about 13,000,000*l*. If any man would say that this was a fair proportion of taxes, he was not wise. He would ask any man, when he took into calculation what the land paid in its great staples of hops, malt, &c. to shew him any trade or branch of industry, which sustained such a pressure. There was nothing like an approximation, except in the case of the poor loaded West India planter. The operation of a tax on the farmer, in various parts of the country, was influenced by peculiar circumstances. Take, for instance, the Salt-tax. In Cheshire, so great was the use of that article in all the ordinary occupations of the farming interest, that he knew, from good authority, that a reduction of rent to the amount of five per cent. was calculated, from the operation of that tax alone. But in fact, any tax on an article of such necessity as salt, and which raised its price to the consumer, in such an extreme disproportion from its prime cost, must be impolitic. It was of

a description which might be well called a tax upon economy. It interfered with all those habits of prudence and retrenchment which were so necessary to the well-being and success of that class of the community. When a tax was levied on the farmer, producing, as its necessary effect, an increased price of labour, and an increase in the price of every other article employed in the cultivation of the land, he possesses by the peculiar nature of his calling, no power to transfer from himself the extra cost which the tax or the fluctuation of markets imposes. All that he contracts for, under such circumstances, he must pay for in hard money or in hard labour. We had a remarkable instance of this some few years ago. It was an instance which marked with great power of discrimination the difference of character that had hitherto existed between the agricultural interest, and the manufacturing and commercial body. The former—quiet creatures—came at the call of the Treasury annually to be shorn. It was not until last year, and until the pressure almost became intolerable, that they ever united to obtain a common object. And what was the effect? Why, the repeal of the Husbandry Horse tax. Cattle and human labour might be called the machinery of the farmer. Now, contrast that tardy repeal with what had passed some few years ago, when a duty upon iron was proposed by the government for the time being. What iron was to the manufacturer, cattle was to the cultivator. They were the machinery of their respective concerns. A tax was to be imposed upon iron. Steam fortunately was beyond the power even of a chancellor of the Exchequer. He would have taxed that too; but it was either too subtile or too explosive a quality to have given financial rapacity the power of a grasp. But, though deterred from contending with the moving power, the chancellor of the Exchequer was determined to take hold of the raw material. When that determination was disclosed the hard dealers in that article, less malleable than the metal in which they dealt beleagured and besieged hon. friends of his in such a manner, and with such remorseless pertinacity; those men from the iron counties so pressed and so pelted the government of that day, as well as the members of that House, that their fierce and unbending demands seemed,—"an Iron sleet of arrowy shower," and the result was, an abandonment of the tax.

Now, to pause for a moment. From a little more than half a million in the year 1750, and from something more than two millions in the year 1791, the poor-rates of England had increased to such an extent, that in one year of difficulty they had amounted to eight millions; and it was not overrating them, if he now took them at six millions. That was just three times the sum which was paid for them before the war. The only hope of relief to the suffering classes lay in a determined reduction of the taxes which oppressed them. Not in a paltry diminution of a million, or a million and a half, or two millions, but in lopping off at once some such considerable burden as should enable the starving farmer to live—in some serious relief of the community, which might enable men to exist under the pressure that would remain. He had already shown that, under the name of paying less than it paid in time of war, the country, in fact, was paying quite as much; that, with the semblance of paying millions less than had been paid in the heart of the war, the country, in reality, paid seven millions a year more; that with a pretence of paying less, the country paid a million more in the present year, than she had ever paid in the most extravagant year of the contest; and that in the year just passed, her situation had been the same. Why, then, even say that taxes to the amount of seven or eight millions were now taken off, the country would still be paying as much as she paid in 1806, or 1807—years of war and of profuse expenditure—years of distress, and almost of ruin—years in which the country was told to look forward to peace for relief—years when all classes were gulled out of their money, and when parliament was duped into becoming the accomplice of government, in grinding a suffering people to the uttermost, and when all the consolation, all the argument all the temptation held out was this—"this cannot last; peace must come; with peace will come retrenchment and a reduction of taxes; and with retrenchment and reduction will return the prosperity of England." Peace had come at last; but not with "healing on its wings." It had come without bringing any reduction of taxes; in fact, it had brought a positive increase of them. The country actually paid more than she had paid during the war; although her power of payment had so materially decreased. And this part of his subject brought him to a point upon which he

thought it only fair to state, that he differed in opinion from a number of eminent persons: he alluded to the alteration which had taken place in the currency of the country. He had not enjoyed the honour of being a member of the bullion committee; not because he had refused to serve, but probably because he had been thought unfit for such an office. It had seemed good, he repeated, to those in whom the selection had been vested, to exclude his name, for some cause, from the list; and when the question of his exclusion had, by his right hon. friend near him, been brought before the house, it had seemed good to the House, to sanction his being shut out. Of that measure he was far from complaining; for, in truth, he felt honoured by the rejection. He felt honoured, because it was not the first occasion upon which ministers had exercised the discretion intrusted to them in the same way—because they had only treated him as, in the year 1797, they treated one of the greatest men in the country (Mr. Fox), whom they had then excluded from the performance of a similar duty. Owing to his exclusion from the list of the bullion committee, he had been deprived of one opportunity of stating his opinion upon the measures projected; and illness, which prevented his attendance in the House, had precluded him, in another stage, from protesting against them; yet he could not but think, upon deep consideration, that the House at that time had taken a most unfortunate step. He imputed no blame upon that point to ministers; still less did he cast reflections upon others, who, with perfect consistency, had abetted the course chosen. That which he chiefly did blame was, the original sin of 1797, which, first interfering with the currency of the country, distorted the whole face of its internal affairs—made it impossible for any man in it to say from year to year, or even from month to month, what he was worth—and threw all its interests into such a state at last, that a return to the original system was attended with greater evils than had at first induced that system to be departed from. To say that he now was aware of any mode by which the currency of the country could at that time have been regulated, was going farther than the present question required; but he could not help lamenting that more attention had not been paid to the enormous amount of the evils that were certain under the course adopted. How bad soever a depreciated currency might be—however bad, as example, the tampering with it permanently—however detrimental to the character of government and of the country—yet he could not help regretting most deeply—always admitting the case to be a mere choice of evils, and of evils, the least of which was frightfully enormous—that only one side of the dilemma had been viewed, and that reference had not been made to the fatal prospect presented by the other.

Once more let it be borne in the recollection of the House, that not only a relief, but a great and invaluable relief might be afforded to all classes by a reduction in taxation. Let nothing which he might say be taken as a waver of that conclusion —a conclusion which was warranted by the facts as well as by the principles of the case—which was evident alike from theory and from daily experience—a conclusion from which he firmly believed not three men in the House would dissent, and not one man out of it: for, where was the man who could refuse to admit that the grand source of relief to the country must be in a diminution of its burdens? Still, while he felt all the value of reduction, he felt that, spite of all reduction, much pressure must remain. It would be deceiving the House, if he were to hesitate in avowing, that, after every resource of economy was exhausted, much evil would continue to exist. He did not mean to convey an impression that the evil so remaining woud be intolerable: the relief that retrenchment and reduction would afford would give the country spirit to endure the burden that was left; but a very considerable burden would be left. And here, again, the pressure fell most heavily upon the agricultural classes, in consequnece of the peculiar situation of their affairs. It was often said, with reference to the subject of prices, that they were not lower now than they had been before the war. Perhaps they were not quite so low. Then why, it was asked could not men bear low prices now, as they bore them in 1792 and 1793? If there were no taxes in the country, nor any debts existing, they could bear them. Independently of the overwhelming public debt, the debts of individuals to each other were to be considered; and the alterations in the currency, both the rising it and the sinking it, had been most fatal to the prosperity of the country. The act of 1797 had led to facilities both of cash and of credit; and those facilities had

led to speculations, the effects of which were apparent in our Gazette. It was not to traders that such speculations had been confined. Professional men had been tempted to adventure—men who would never have dreamt of speculation, had the currency remained in its natural and healthy state. But, foremost in the ranks of adventurers, had stood the agricultural interest, whose names were excluded from the list of bankrupts, but whose distress was apparent, from signs which could not be mistaken. To those very speculations of the agriculturists part of the present distress was attributable. Their profits tempted the chancellor of the Exchequer: their exertions had a tendency to over-production; and with all this went on a facility of contracting debts, which, under any other state of the currency, they would not have incurred, if they could, and which they could not have contracted even had they been so disposed. It was said, that the land-owners had flourished under that depreciation of the currency, while all the other interests of the country had been suffering—that the farmers had benefited by high prices, which crushed the trader and manufacturer. But the manufacturer had the means of evading those high prices, by the mass of machinery which he substituted for human labour. The cotton-machinery was so improved within the last thirty years, chiefly in consequence of high prices and taxation, that one man produced now one hundred times as much as he had produced formerly. It was not so with the agriculturist. The improvements in farming had certainly been considerable; but a man could not produce a hundred times as much as he had produced formerly. Nor was the gain during those years of high prices so completely one way as had been assumed. Whilst the farmers were speculating in land, other classes speculated in money; and the power of speculation accrued equally to both, from the state of the revenue and the condition of the currency. The farmer was charged with having made exclusive benefit. Let it be remembered, that every man who had at one time lent government 50*l.* was now a creditor to the amount of 100*l.* That millions and hundreds of millions had been borrowed, and sometimes as low as 48 or 49. He knew that the 3 per cents. had been as low as 47½; and he was sure many loans had been made as low as from 50 to 60, others between 60 and 70; and no smaller an amount than 300,000,000*l.* had been borrowed during those years of depreciation. All those loans had now risen from 30 to 50 per cent.; for the creditor could not be paid off unless by giving him his 100*l.*; and so far, at least, others besides the farmers had made their profit out of the distresses of the country. He hoped he should not be mistaken. He was far from meaning to state the fact invidiously; but it ought not to be said, that all the gain of the expensive years had fallen exclusively to the share of the agriculturists. If the loss was not entirely upon the monied man, neither was the profit entirely with the farmer. If the article in which the farmer dealt had risen, his rent had risen with it. Then he had himself, as a consumer and a purchaser of labour, been affected by his own high prices. Then, too, he had enjoyed all the blessings of the income-tax, pursuing the increase of his nominal gains. The fiends of the exchequer were up with him at every step; and they diminished his advantages at least, if they could not seize them altogether. Nor was this the whole. The debts which a depreciated currency had stimulated him to incur, he was now compelled to pay by selling at low prices. With an income nominally reduced, he had to pay the same amount of fixed money which he had borrowed from his creditors. Suppose a man to have an income of 10,000*l.* a year, arising from his rents, 5,000*l.* of which was to go in fixed money payments. If rents fell fifty per cent., which was the case with many landholders at the present time, that man's income was entirely gone. If rents fell 25 per cent., which was perhaps the *minimum* at the present moment, half his income was gone in the same way. So that, instead of being a man of 10,000*l.* a year, he was in reality a man of only 2,500*l.* Having now returned to the old system of currency, the first mode of alleviating the misery of the farmer was, to relieve him from the taxes by which he was oppressed. Still, in defiance of all retrenchment and all economy, much of public burden would necessarily remain: and he had no hesitation in saying, that if, after all the resources of economy were exhausted—if after every possible reduction had been effected—if after a large amount of load was taken off, the country should still find the state of the farming interest so bad, that landed gentlemen could not continue to exist in such a state of things, he was

not prepared to say that the country ought not to go still farther in relief. His decided opinion upon the subject was, that where the pressure was so great and the interest so mighty—for the very existence of the state was bound up in the prosperity of the land—the country had only one limit to relief—the making that relief decidedly effectual—that if one measure of reduction would not do, recourse must be had to another, and from thence to another; and that if all reductions were found insufficient, the country must prepare for other measures, for measures only to be justified by a paramount unreasoning necessity. [Loud Cheers.] To tamper with the public faith; to sully the honour of the country; to declare a national bankruptcy!—Good God! who in his senses could recommend it?—To raise the denomination of the currency higher? That was a gentler form of speech; but it amounted pretty nearly to the same thing. To attack the standard secretly or openly? Acts differing only from each other, as open violence differed from secret fraud. He did not say that the country ought to make up its mind easily to such a course; for it was one thing to have kept the currency where it was a few years ago, and another thing, having re-established it, again to alter the standard. Many persons would have agreed to keep the currency down, where it would have been to the great and equitable relief of the country, if it had remained, who would not now agree to retrace their steps, and to change the state of things once more. And with cause; for the thing itself would be worse, and the example would be ten thousand times worse, as it would be easier to follow it in cases of future difficulty. But necessity—if necessity did come—if that hour did arrive, when there was no possibility of negociation, whose mandate was peremptory and must instantly be obeyed! and he should say that the hour of necessity was come, if the landowners of England were to continue permanently in the state, or in any thing like the state, in which they now stood: for it was well to talk, in honied accents, of suiting the supply to the demand, and throwing bad land out of cultivation—of changes in society, from one employment to another—of transfer (for that was an expression which did wonders), and of what one man lost being gained by another. These words—however smoothly they might sound upon the tongue, would be found, if interpreted, full of serious and of dangerous meaning. They supposed the laying waste of a large and fair proportion of England—the breaking up of all endearing connexions; the destruction of all local attachments—the most frightful agonies to which the human mind could be subjected. They looked to the tearing up by the roots that fabric of society which might flourish perhaps in this country, most ornamentally towards its summit, but which was bottomed upon the foundation of a solid landed interest, and which must crumble into dust when that landed interest should be no more. And he said that the landed interest was no more, when proprietors were reduced to traffic in securities—when they were compelled, from day to day, to a life of traffic and of speculation, instead of living like country gentlemen, and gentlemen of England. To be distressed by every little neighbour within sight of his gate; to be fearful at the approach of every new comer; to glean a scanty pittance of rent from a tenantry, as suffering as themselves; and at last having gleaned from that tenantry all their earnings, to be forced to come upon their savings; and, their savings being exhausted, to be obliged to drive them out or sell them up, taking the rent (as it was now taken) out of the farmer's capital, and not out of his revenue; and then being forced to mortgage and eventually to sell; then the process of transfer, as it was called, became complete; and, instead of the former owners, a new race of proprietors were distributed through the country. To that conclusion the thing must, after all, come. Persons talked of the ruin of the landed interest: but it was not meant to say that proprietors would be destroyed: that the land would become steril or sink in the sea, or that the houses would be levelled, and the owners exterminated. No: what was to be understood by the ruin of a great class, and by the destruction of one of the most commanding interests in the country, was shortly this—a great change of property; much individual misery; the whole relations of the class destroyed; or the relations of that class to the rest of society, and those of its members to each other. Such was what was called the destruction of a class: and when it happened to a community, it became the destruction of a state. [Cheers.] Once more then, if economy was not found effectual, parliament was bound to do that which would be effectual; for, at all events and at all hazards, it was their

duty to save the state. God forbid, that any man should even whisper such an expedient as that, from which every well-constituted mind must recoil, the compounding with the public creditor, or the tampering with the currency—while parliament possessed the power of relieving the existing distress, by a diminution of taxation, and by the enforcement of economy! He said, therefore, that the only measure of mitigating the great evil which at present oppressed society was, to reduce, by every expedient, the burdens of taxation. This was to be done by real and efficient retrenchment, not by lopping off the salaries of petty clerks, and by little jobs of that kind, such as consolidating a few clerkships in one, to serve the dependant of some great man. It was not by petty unjust savings of this kind that real retrenchment was to be effected—but by beginning at the highest and going down to the lowest salaries, till every class of the state was included. He hoped they would not be any longer told, that public men were not to be borne hard upon, when it was the fact that they were the only class who had not suffered enormously. [Cheers.] He would not say whether they ought to be reduced 15 or 20 per cent.; but they ought to be reduced in such a proportion as would be likely to give efficient relief to the suffering classes of the community. He had looked into the papers on the table with respect to the reduction; he did not make any reference to this year or to the one million and a half to be deducted, half a million of which was to be attributed to the death of Buonaparte, and another regretted event —the lamented death of the Queen. The document to which he was about to refer contained the changes which had taken place in the salaries of public officers from the year 1792 to the present time. To show how impossible it was to repose confidence in men, who said that they had brought the expenditure of the country as low as it could be brought, he would refer in the first place, to the papers of last year. He found in one place an account of offices abolished, or said to be abolished, at the expiration of the Income tax; and in that department, it appeared, that places were cut off to the amount of 1,500*l.* a year. Now, according to Mr. Perceval's act, persons retiring after a long employment from public offices, were allowed a retiring pension, according to the length of their service, Those who had served twenty years, retired upon one half their salary; those who had served thirty years, took two thirds; and forty years, three fourths, and so on. Now, it might fairly be doubted, whether persons whose offices were abolished stood entitled to such large allowances as those who retired from age or infirmity; but, at all events, if the liberality of ministers was to give to those persons the full benefit of the act in question, it might reasonably have been expected that they would not have gone beyond it. How did the fact stand? Simply thus—the offices abolished amounted to 1,500*l.* a year. The saving to the public by that abolition was 300*l.* But he would show that within the last few years, augmentation rather than diminution of stipend had been going on; or that they had been marching hand in hand, the one at least as operative as the other. The years 1815 and 1816 had been years of low prices and of affected economy; and the year 1816, one would have thought, of all the years in the circle, was the farthest from warranting an increase of salary. And yet, he found the commissioners of Customs and of Excise, and the chairmen of those boards, in the year 1816, endowed with an addition to their already considerable stipend. At a time when, instead of adding any thing, part ought to have been taken away, these increases were given, as compensations for loss of patronage. Two or three yachts had been laid up, the nomination of officers to them ceased; and that was a calamity to be made up by an increase of salary! But the taste of ministers in these matters was quite delightful, as well as the neatness, the uniformity which their arrangements displayed: for, to preserve the symmetry of the whole set of offices, the commissioners of Stamps got the same increase of salary, although they had lost no patronage at all. [A member here said, that the commissioners of Stamps had lost some patronage.] He could not but be delighted at the style in which these rights were asserted, and at the nicety with which the worth of patronage was estimated in money. But there was another instance of augmentation in the year 1817, which was really worthy the attention of the House: it was, to the salary of the secretary of the board of control. The original salary attached to that situation was 1,500*l.* a year. It was thought, however, that 1,500*l.* a year was too little for an office of such

importance, and in 1813 or 1814, 300*l.* a year was added, making the salary 1,800*l.* Within two years after, to wit in the year 1815, it was discovered that the hon. member who dignified the office had been no less than five years in possession of his situation. Conduct so praiseworthy could not decently go unrewarded. If such an act did not deserve remuneration, what did? If it was not merit who could hope to be meritorious? Five years in his post! It was a signal instance of that propensity to keep place, which was the support of ministers, and the blessing of the country! [Much laughter.] "Let his salary," said ministers with one voice—"be increased 200*l.* a year." And for the hon. secretary's religious adherence to office, and as an encouragement to him to persevere still further in the same virtuous course, his salary, from 1,800*l.* was raised to 2,000*l.* per annum. So bright a reward for meritorious conduct could scarcely fail to produce the best effects: and in fact, the honourable secretary continued two years longer in office, to evince his gratitude for the bounty which had been showered upon him. What! two years more? he must be rewarded again [shouts of laughter]—or the state will go to decay for want of steady servants! It would be in vain to have great places of 1,500*l.* and 2,000*l.* a year, if they did not reward fidelity like this! Accordingly, the salary was advanced 200*l.* a year more, attaining then—it was hard to say the *maximum*—but attaining the line upon which it rested just at present. After retrenchment promised to the House and to the country; after pledges of retrenchment year after year carried up to the Throne: and after a direct report from the committee of finance, recommending that no such augmentations to salaries should be made, "because the committee thought the principle was liable to abuse," such was the course that ministers had taken. The very instance which had just been quoted proved, that the words of the finance committee had been prophetic; but if the country wished to continue as a nation at all—if she was to be raised, or attempted to be raised from bankruptcy and from ruin, the scale of her expenditure must be in reality reduced. What were the plans to which other gentlemen looked forward, it was not for him to say; he trusted only that among all the persons to whom he was now speaking there was no individual who would lend an ear to relieving the distresses of the landed interest by increasing in any way the facility of borrowing. Whether that borrowing was to be from government directly, so as to subject the farmers to the only curse with which they were not yet afflicted—Exchequer process; or whether it was to come through any intermediate channel, it would turn out to be an aggravation rather than a mitigation of the evil. He warned them, for he had heard portentous reports, against opening their ears to any proposition for changing the taxes, or for shifting the burthen from one set of sufferers to another. Such a measure, let land-owners be assured, would afford them, even at the present moment, very slight relief; and would tend most inevitably to the revival of the income-tax. Let the country profit by the experience of former years; let the people recollect the manner in which the income-tax had been introduced, the almost imperceptible degrees by which it had grown up, and the curse which it had eventually become! Let those who had groaned under that precious impost beware, now they had got rid of it, how they opened a door to its return! Let them judge, if the chancellor of the Exchequer once more got his foot upon that chosen ground, if he would ever abandon it until he had drained them of their last shilling. However light the pressure might first appear, it would soon be severely and oppressively felt:—

"Parva metu primo: mox sese attolit in auras,
Ingrediturque *solo.*"

If they looked to the returns of what the landed interest had paid, and considered the many burthens with which they were at present oppressed, it would be evident that such a tax, however modified, was one which they could not endure. But his objection was not merely to the unequal pressure of taxation which would be thus produced, but to the enormous glut which would be thereby given to the grossest extravagance. From all he had heard, not from ministers, but from those adherents who too much countenanced them, he felt he should not be discharging his duty if he did not guard members against those visionary schemes by which it was proposed to aid the distressed classes—schemes, visionary in every thing

from which real relief could be expected, and substantial in nothing but in their being a bar to a practical reduction of taxation.

In concluding his observations, which he feared had been already too many, he begged again to state, in order to guard himself against any misconstruction, that there was nothing in the resolution which he was about to submit, that would pledge any member to any particular kind of reduction or retrenchment. Those who still maintained the foolish and extravavant idea, that a sinking fund, such as ours ought to be supported, might still vote for his resolution, because there was nothing in it which directly militated against that system. Those who opposed that system as one, the deception and fallacy of which had already been exposed, might also vote with him without any violation of political feeling. All that the resolution said was, that a reduction of taxation was necessary to the relief of the country; and, therefore, all the gentlemen who were of opinion (and he had reason to believe that many hon. members in that House thought with him at least) might all give their votes with him in safety. The only persons whose votes he could not ask, whose votes he could not expect, were those who imagined that there was another nostrum more efficacious than the remedy which he proposed; —who imagined that the taxes, and those who lived by the taxes, were a benefit to the country — who imagined, with the chancellor of the Exchequer that a reduction would be a serious and crying evil to society. The hon. and learned member concluded, amidst loud cheers, by moving "That it is the bounden duty of this House, well-considering the pressure of Public Burthens upon all, but especially the Agricultural Classes, to obtain for the suffering People of these Realms such a reduction of the taxes as may be suited to the change in the value of money, and may afford an immediate relief to the distresses of the Country."

The Marquis of *Londonderry* said, that in rising to address the House after the long, the able, and elaborate speech of the hon. and learned member, he could assure them, that if he felt convinced of the truth of the proposition which had been laid down (in no very practical or intelligible shape he must admit), he would at once accede to it. The hon. and learned member had certainly a right to propose the reduction of the expenditure, and the introduction of economy, to the utmost farthing; as such a proposition would be of course submitted to the good sense and discernment of the House. But he must condemn and set his face against the cloaked and mysterious terms in which the hon. and learned member had hinted at the measures to which the landed interests were to look for protection. He felt pleased and gratified at being relieved from the necessity of following the hon. and learned member through all the florid declamation with which he had favoured the House, or of removing from their minds the horrors which that declamation was calculated to inspire. When the hon. and learned member could convince that House that the reductions which he proposed could be made without any injury to the state, then, and not till then, could his proposed plan be put in execution. In looking to the extensive range, and lengthened detail of argument, into which the hon. and learned member had gone, he could assure those who heard him, that if, in the course of that argument, any practical remedy which could be supported by sense or reason had been submitted to him, he would not have opposed it; nor ought he, perhaps, to have immediately followed the hon. and learned member in what he had proposed, for he had the honour of sitting amongst gentlemen who were much better able to detect and expose the fallacies of that hon. and learned member than he could pretend to be. But that was not now the question. The question to be considered was, what was the situation in which the hon. and learned member had placed himself, the House (for not even the House itself had escaped his lash), and the country, by the present motion. Were they to follow implicitly the doctrines of the hon. and learned gentleman? Were they at once to pin their faith on what had been advanced by him? No: they must look to all the circumstances of the case; they must take within their view the various interests of the country; and after having so done, it would be their duty to adopt such measures as in their wisdom they deemed most effective in affording relief. In coming to a decision upon this question, he was sure that gentlemen would discharge their duty faithfully to themselves, their constituents, and to posterity. He should now proceed to touch upon

some of the leading topics of the hon. and learned member's speech: and here he must observe, that if the hon. and learned member had felt satisfied that the distresses he described existed, and that the remedy he proposed was absolutely necessary, then that hon. and learned member should not have arraigned the conduct of government in entering into the last war; he should not have endeavoured to throw out calumnies, not only against ministers but against parliament itself; he should have kept in view the public interests and the public interests only; and, above all, he should have trusted something to persons who, from their official situations, were likely to be better informed as to the details of the situation of the country than the hon. member was likely to be. But the hon. and learned member had not done this: nay, so anxious were he and his friends upon the subject, that they were prepared on the opening of parliament—upon the first hearing of the address, to call for the final decision of the House upon this great question—a question which involved the first and dearest interests of the country, and entangled as it was by a variety of considerations. He should here point out the difference between his own conduct and that of the hon. and learned member upon this occasion. The hon. and learned member endeavoured to press, or he would say entrap the House, into a premature decision upon the question; while he (lord L.) felt that he should be guilty of a dereliction of duty as a minister of the Crown, if he proposed for their decision a question of such grave and vital importance, without giving time for the fullest and most serious consideration. The hon. and learned member, however, would have the decided opinions of the House delivered at once upon this great question. But this was not all. The hon. and learned member had found fault with the last war; and particularly with the expenditure of the last three years of that war. He would ask the hon. and learned gentleman, he would ask the House, whether this was a proper period at which to introduce such a question? He would call upon them to recollect, that during a part of that war, the gentlemen opposite were as ready to grant supplies as ministers were to ask for them? And he should say, without fear of contradiction, that it was owing to the expenditure, that this country owed the proud situation which she now held among the nations of Europe. The hon. and learned member had also attacked the finance committee of 1817, and had described them as persons entirely subservient to ministers. Now he would put it to the House whether this was dealing fairly with those gentlemen? He would put it to those who heard him, whether that committee did not consist of gentlemen of as honourable and as independent character as any to be found, either in that House or the country. But it was one thing to devise and carry on measures during a period of danger and difficulty, and another to find fault when those dangers and difficulties were overcome. The hon. and learned member had talked of the estimates, and of their enormous amount during the war; but were those to be coolly calculated in moments when the honour of the British arms was engaged? Was the duke of Wellington, in drawing up the lines at Torres Vedras, to calculate the estimates of his expenses, and suspend his operations until those estimates could be discussed in parliament? Had such been the practice of that great captain, the country would not have had to record so many glorious achievements of her armies under his command. But, when estimates, and their pressure upon the country were talked of, let it be remembered, that the fever for military glory, as it was called, was not all on the ministerial side of the House. He recollected well that a main support was given to those military measures from the other side; and he also recollected, that not a word was said about the amount of those estimates when the enemy was at Boulogne, and we were fortifying the heights at Dover. At that time an hon. member, general Craufurd, who sat on the opposite benches, was, night after night, ringing in their ears the necessity of some stronger measures for the defence of the country. Mr. Windham, too, a gentleman for whose memory he had the greatest respect, was an advocate, and a warm one, for strong military measures; and the system was canonized soon after by his being made war-minister. And when the learned gentleman talked of the increase of millions in our estimates, he should recollect that a great part of them were increased by Mr. Windham's plan for increasing the pay and limiting the service in the army; and that some of the

millions talked of might have been saved but for that plan to which the hon. and learned gentleman himself had given his support. Another exaggeration of the hon. and learned member was, that we had the same degree of taxation in peace as in war; but did the hon. and learned member not take into account, that at the close of the war we had reduced taxation to the amount of 18 millions—a relief which no country in Europe could boast at the time. He mentioned these points to recal to the attention of the House the spirit of crimination and exaggeration in which the hon. and learned member had indulged. Now what was the situation of the House with respect to this question? The Speech from the throne announced the distresses of the country; and his majesty threw himself on his parliament, on that momentous subject. Now, he put it to the House, whether, in the address on that speech, his majesty could have got any conclusive answer on that point? Whether, in two or three days, the House could have come to any practical conclusion upon so important a question? On the occasion of voting the address, he had distinctly stated, that ministers would at a very early day be prepared to lay before parliament a statement of what they intended to propose, and that the subjects upon which they would touch would become matters of separate discussion. They did not wish to take credit for any thing which was not then fully made known; and at the same time he stated, that no member would be pledged by the vote which he gave on that occasion, to the support of any of the measures which might be subsequently brought forward. So he would now say, and by supporting the previous question, with which he should feel it his duty to meet the hon. and learned member's motion, no member would be precluded from supporting any measure of reduction which might be proposed hereafter. By moving the previous question, he meant not to say, that the subject which the hon. and learned gentleman had proposed might not be discussed hereafter; but merely that the present was not the proper time for the introduction. All he claimed was, that the House should not decide, until they had the whole subject fully before them. He would have them enter into the consideration of such important matters with all that light upon them which would be calculated to direct them to a just conclusion. He did not mean to deny, that instances might be shown in which parliament would be justified in retracing some of its steps: but surely the House were not to be told that they were to come to such a conclusion on a single speech, without data to go upon, and without time for the fullest consideration. All then, that he called upon the House to do, was, to wait till that opportunity should arrive. He was prepared to go as far as the hon. and learned gentleman in valuing those sound principles of economy which ought to guide a government; but then he would not allow himself to be borne along by declamatory statements about a mysterious necessity, to which we were to bow. He would say, that we should not bow to any necessity—he meant alleged necessity, for he did not admit that any real necessity existed, which should induce parliament to violate the faith of the country, or to infringe upon those principles of eternal justice on which its engagements should depend. He would not at the present moment allow himself so far to anticipate the plans which his majesty's ministers would submit to the consideration of parliament, as to say what would be a relief to the distress which prevailed; though he would say, that in considering the distress, he did not mean to deny that there would be some alleviation of taxation; but that whatever it might be, it would arise from collateral circumstances, which would afford a more solid guarantee of relief than those plans which the hon. and learned member seemed to contemplate. He could not, however, go at that moment into the detail of the particular measures, without improperly introducing that which would better appear at another period. Surely the hon. and learned member, if he wished the House to come to a right conclusion on the subjects he had introduced, would not have hurried them in the manner he had done! The present motion of the hon. and learned member was indeed nothing more than an attempt, by a party vote, to cast a censure on ministers, and to withdraw from them that confidence which they possessed. For he put it to the House—he put it to the hon. and learned gentleman himself—whether, without reference to our income and expenditure, without any knowledge of what ministers intended to propose, it could have any other object? He would say, if such was

the intention of the hon. member—if the House should choose to go with him in withdrawing their confidence from the ministers—why then it would be better at once that some others should be chosen, in order, before the House came to any decision upon the question of reduction, they might be informed of what was intended to be done. If the House should concur with the hon. and learned gentleman, he would say, let him take charge of the administration, and have access to those documents which were now in the possession of ministers; and, having those papers in one pocket, and the vote of the House in the other, let him then judge whether it would be prudent to come to any decision upon such a subject without a reference to those documents. But if, as he had just said, the House should be of opinion that the hon. and learned gentleman and his friends should be placed in the situation which the present ministers now filled, which, he would admit, were objects of fair ambition to every man in the country—if the hon. and learned gentleman should, as no doubt he would, be appointed to some high trust—that of Chancellor of the Exchequer, or, some other of equal importance, his first object in coming down to that House would be —for he would not believe him rash enough to be bound by what he had said that night—to implore them not to rush at once to a decision upon such a subject as the present, but to suspend their opinions until he could lay the proper documents before them. But, the object of the hon. and learned gentleman was not to bring the House to a decision on these points. He had embraced the present opportunity of making a party attack. The hon. and learned member had been recently elevated to a high situation among his party; for if the rumour of the few last days were true, he had been raised to that trust which the public supposed to reside in the hon. member for Aberdeen. He did not mean to say that that hon. member was not well qualified for the task, or had entirely given it up; perhaps he would act while the hon. and learned gentleman was going circuit. The present was, as he had observed, quite a party question: but it was one well calculated to mislead those for whom it was intended. He trusted, however, that this premature attempt would be met with a rebuke similar to that with which a like motion, made by a right hon. gentleman opposite (Mr. Tierney) on a former occasion was received, when another party question was raised on the state of the nation. He hoped the good sense of the House would induce them to treat this as the former one had been treated. He would not trespass farther on their attention. He had stated the reasons which induced him to meet this motion with the previous question. On the proper occasion he would show that the system of relief to be proposed by government would be far better calculated to effect that object, and particularly the relief of the agricultural classes, than the plans to which the hon. and learned gentleman had alluded. When this system should be opened to the House, no member would be pledged to vote upon it until time had been afforded for its fullest consideration; for there was nothing against which he protested more strongly, than the endeavouring to procure a conclusion on an important question by prejudices excited in the absence of full information on the subject. He hoped the House would set itself against any such attempts. Ministers, he could assure them, were prepared to adhere to every principle of economy, and when he mentioned the word economy, he begged to be understood as meaning rational economy. In a short time the House would have to consider the whole situation of the country with reference to its income and expenditure. They would then see what reductions had been made, and what farther, if any, could be made with safety to the public service. This was, he thought, the only fair way of coming to a rational conclusion, and the very reverse of the one adopted by the hon. and learned member. Protesting against his plan as impracticable, and, he would say, as unparliamentary, he would conclude with moving the previous question.

Mr. *Calcraft* said, that those classes of the community who were in distress, would no doubt feel much surprised when they learned, that instead of considering those distresses, ministers were considering the situation of gentlemen at the Opposition side of the House, with reference to their own. The noble lord seemed astonished that such a motion should have been introduced in the absence of full information as to the intentions and plans of ministers. Now, he contended, that a sufficient knowledge of their

intentions existed on which to found a motion, and exactly such a motion as that proposed by his hon. and learned friend. That motion was rendered necessary by the declaration, made on the very first night of the session by the chancellor of the Exchequer, not only that there was to be no reduction of taxation, but that such a reduction would rather aggravate than relieve the public distresses. After such a statement coming from one of the ministers, and fairly presumed to be the opinion of all, it was the duty of the House to take the earliest opportunity of coming to a resolution, binding ministers to a reduction of taxes as the only effectual remedy for the public distress. He was quite surprised to hear from the noble lord, an assertion, that the late Mr. Windham's plan was the cause of a vast increase of our taxes, and a dead weight of some millions upon the country. But the fact was not so: Mr. Windham's plan was, an extension of half-pay in certain cases; but it was not this necessary encouragement to meritorious exertions which had created the burden: it was the extension of the principle to the navy and artillery which had produced it: but he would say, that never was money paid by the public, better deserved, than that which went to reward the great and meritorious efforts of the class of men to whom he alluded, and it was too much in the noble lord who had availed himself of those services to complain of the weight of their reward. The noble lord, grudged this application of the public money, but he made no lamentation over the different jobs which his hon. friend had exposed; he made no lamentation over the increase of pay to certain officers, who had no increase of duty to perform; he made no lamentation over the secretary of the Board of Control raising his own salary from 1,500*l.* to 2,000*l.* a-year, when he had not the misfortune to be disbanded with his fellows. He requested the House would consider what it was the noble lord had proposed to them: he had entreated them to vote for the previous question, because on Friday next he intended to bring forward his proposition for the relief of the agricultural distress. If the noble lord was sincere in his intention of relieving the agricultural interest, the assenting to the motion of his hon. and learned friend would favour, instead of interfering with, that object; for it would only pledge the House to the reduction of taxation as one of the means of affording relief. But what confidence could the House place in the noble lord's promises of relief? Had he not in the last session promised that the government would do all that it could to alleviate the agricultural distress? And yet, what had been done to redeem that promise? Why, he had sent all the agricultural petitions to a committee, in which some of his own most active friends were the principal members, and one of whom had absolutely drawn up the report that was afterwards agreed upon. And what relief had that report brought to them; or what relief did they anticipate from the project on which the noble lord had that evening talked so largely? He put it to the country gentlemen to determine, whether they could entertain any rational expectation of relief at the hands of the noble lord, when he had, on the present occasion, carefully abstained from contradicting the expression of the chancellor of the Exchequer, that no reduction of taxation could take place. If the noble lord had had any intention of reducing taxation, he would have willingly stated that such a measure formed a part of his plan; but as far as he could collect from what the two members of the executive government had said, it was their intention to persist in the heavy taxation by which the country was oppressed. Now let them consider what would be the effect of affirming the proposition of his hon. and learned friend. Would it not be to compel the noble lord to make a reduction of taxation a part of his so much vaunted proposition? He believed the noble lord thought that the resignation of his own office would be a greater evil to the country, than any which it could suffer from the distressed state of agriculture. He believed the noble lord was of opinion that the interests of the nation could not be confided with safety to any other hands than those of himself and his colleagues. But he confidently hoped the House would not entertain a similar opinion. If the present were a fit opportunity for entering into the political merits of the noble lord, he would direct the attention of the House to the present distracted state of Ireland, and would advise it to look there at the fruits of the noble lord's political life. It was there that the noble lord had commenced his career: it was there he had induced the representatives of the nation

to abdicate their functions: it was there he had induced them, by large promises of advantage, to accede to the Union; and yet, in the two-and-twenty years which had elapsed since that event, during almost the whole of which he had been in power, what measure to improve Ireland, what plan of policy to ameliorate the condition of its unfortunate inhabitants, had been brought forward? If the noble lord prided himself upon any plan that he had introduced into parliament for that purpose, he had only to look at the present distracted state of that country to divest himself of it. Indeed, if he felt that love for Ireland, which was inherent in every man for the land of his birth, how must he regret that so many years of his administration had been passed amid scenes of continued outrage, oppression, and bloodshed! That the short invervals of peace which had occurred had not been employed, either by himself or by his friends, in endeavouring to amend the degraded situation of his suffering countrymen! The noble lord, with a view of rebutting the illustration which his hon. and learned friend had given of the extravagant expenditure of government during the war, had said, that the expenditure complained of had all accrued from measures supported by the Opposition side of the House; as if, though the noble lord had been in power, his opponents had been the sole directors of the expenditure of the country. The noble lord had stated, that the extravagant suggestions upon which the government afterwards acted, had come from the late Mr. Windham and general Craufurd; but he would ask the noble lord, whether those gentlemen had not always acted in a distinct opposition of their own, and apart from the party to which he and his hon. and learned friend had always been attached? In the propriety of these suggestions he had never concurred; and could appeal to his past public conduct, in proof of the accuracy of his statement. If any gentleman would turn to the debates of that period, he would find him opposing the expenditure which was then commenced, night after night, and division after division. He should not have been for pressing this motion upon their attention, had he conceived that it would interfere with a proper consideration of the question of agricultural distress. In that question he was himself deeply interested: with the distress which made it of such importance, he warmly sympathized. With the farmer he went

"——— along, both heart and mind,
A fellow-feeling made them wond'rous kind."

As he thought that the motion of his hon. and learned friend was calculated to promote their best interests, he should certainly advise him to pledge the House, if possible, to an immediate reduction of taxation.

Mr. *Ricardo* denied that taxation was the cause of the present agricultural distress. A country might, he said, be totally without taxes, and yet in the exact situation that England was at present. It was consistent enough in those who thought that the restoration of the currency had made a change of 50 or 56 per cent. in the value of money, and had consequently increased the actual value of the taxes in that proportion, though their nominal amount still remained the same, to say that taxation was the chief cause of the distressed state of agriculture; but it was impossible for those who held that the restoration in the currency had not created any thing like so great a change, to accede to such a statement. From the line of argument which his hon. and learned friend had pursued in one part of his speech, he was afraid that his hon. and learned friend was going to prove, that the very taxation which he wished to reduce was a source of benefit to the nation. His hon. and learned friend had stated, that the manufacturers of leather, on account of the tax on it, largely increased its price to the consumer, and derived so much benefit thereby as to be ready to represent it to parliament as a very useful and beneficial tax. Surely, by a parity of analogy, the agricultural interest, burdened as it was by taxation, might petition parliament against a reduction of it, since it was as much in their power as in that of the leather-manufacturer, to make it useful in enhancing the price of their commodity to the consumer. His hon. and learned friend had, however, drawn a very nice distinction—so nice indeed, that, for his own part, he was not gifted with ability to discern it—between the circumstances in which the leather-manufacturer and those in which the agriculturist was placed. He had said, that, in the case of the manufacturer, the taxation was paid by the consumer; but that in the case of the agriculturist, it was paid by the seller, and could not be charged to the consumer. He could wish his hon. and

learned friend had stated to the House his reasons for such an assertion. If he were to be called upon to declare what he conceived the cause of the present depressed state of agriculture, he should say, that the cause of it was the abundance of produce now in hand, arising from the late abundant harvest, the quantity of land recently brought into cultivation, the importation of corn from Ireland, and various other causes, which it was not material for him at that time to mention. Indeed, the House would deceive both itself and the country, if it should come to a resolution that taxation was the cause of the distresses of the agricultural interest. He perfectly concurred in the opinion of his hon. and learned friend, that the present state of things could not last long: that was an unnatural state of things, in which the farmer could not obtain a remunerative price for his produce, and the landlord could not obtain an adequate rent from his tenant. His hon. and learned friend had stated, that unless something were done to relieve the farmer, much of the land would be thrown out of tillage. He said so too; and it was to that very circumstance that he looked forward as a remedy. His hon. and learned friend, among the other observations which he had made, had made some upon a set of individuals whom he stated to be anxious to transfer the whole landed property of the country into the hands of the public creditor. For his own part, he could not help observing, that he knew of no persons who entertained such wishes; neither could he imagine any cause which could, under such a measure, be necessary. He himself thought that the landholder might be enabled to receive an adequate rent, without any breach of faith being committed towards the stock-holders. With regard to the stock-holders, it might be supposed, from the language which had been used that evening, that it had been proposed to transfer to them the property of the land-holders, and to leave the land-holders entirely without resources. Now, such a proposition never had been, and never could be, seriously propounded. But though he said that, he was prepared to assert, that it would be most advisable, both for the land-holder and stock-holder, that the former should surrender to the latter a part of his property, in liquidation of the debt that had been contracted. Indeed, as the stock-holder received, in the shape of interest, taxes from the land-holder, it might be said that a part of the land did at this moment absolutely belong to him. [Cries of "Hear" from both sides of the House.] He would suppose, that during the war the ministers had come into the House, and, after stating the necessity of the case, had called upon the country gentlemen to give up a certain portion of their property in a direct manner to the exigencies of the state. Must they not, in that case, have absolutely parted with a portion of it? And if at that time others advanced for them that capital which they had not in an immediately tangible shape, was it not right that the capital so advanced should now be repaid to them? He was not demanding for the stock-holder more than he was entitled to receive; he was merely demanding that, in a compact such as he had described, the terms should be fairly and honourably fulfilled towards him. If the alteration in the value of the currency had given to the stock-holder more than he was entitled to, which he (Mr. R.) did not believe, let it be shown and let the deduction be made openly and without disguise. These were all the observations which he should obtrude at present upon the House. On a future occasion, he should explain the reasons why he thought that the alteration produced in the value of money by the restoration of the currency, had been greatly over-stated; and then he should endeavour to show, that if proper measures had been taken at the time of passing Mr. Peel's bill, the resumption of cash payments would have produced no greater effect on the price of corn and other agricultural produce, than a fall of five per cent; whatever greater fall might have taken place, would have been attributable to other causes.

Mr. *W. Peel* opposed the motion. He believed that ministers were quite as anxious to relieve the distress of the country as those who dealt in nothing but assertion and complaint. He was glad that reductions were about to be made from the highest offices to the lowest, as he was convinced that such economical arrangements would tend to remove the evils complained of.

Mr. *Brougham* rose to reply; and principally for the purpose of defending himself against the charge of inconsistency, which the noble marquis had brought against him. The noble marquis had stated that he was not justified in finding fault with the extravagance of our military expenditure, seeing that he had been a

party to the propositions of general Craufurd and Mr. Windham, on which it was founded. Now, upon this point the noble marquis was completely in error. The first of the two gentlemen whom the noble marquis had named, he had never seen, much less exchanged a word with, in his life; the latter, much to his regret, he had never been acquainted with, though he had sat for a short time in the same parliament with him. The noble marquis seemed likewise to have forgotten that the suggestions to which he had alluded, were made in the year 1803, seven long years before he (Mr. B.) enjoyed the honour of a seat in parliament. The whole dead weight of the half-pay list, in which was to be included the in and out pensions of Chelsea and Greenwich hospitals, the remuneration to wounded officers, &c. now amounted to 4,700,000*l*. This sum the noble marquis had represented as the difference between the half-pay list of 1792, and the half-pay list of the last year; a difference which he likewise stated to be caused by the adoption of the plans suggested by the late Mr. Windham. Such an exaggeration was so preposterous, that it would be a waste of words to expose it. The noble marquis had likewise said, that the House might perceive how paltry was the relief to be expected from a reduction of taxation, by reverting to the small practical benefit conferred upon the country by repealing 18,000,000*l*. of war taxes in the year 1816. But he would ask the noble marquis and the House this one question: Supposing the House had not compelled the ministers to repeal those taxes, what would have been the condition in which the country would now have been plunged? Would it, or would it not, have been unable to pay them? He boldly said that it would have been unable; and he would shortly state the reasons why. The alteration of the currency, by increasing the value of money, had produced the same effect upon the country as if 23,000,000*l*. had been added to its taxation; and that rise in the value of money had placed a heavier burden upon it than had been taken away by the taxes which had been repealed. If in addition to the weight of taxes under which the people of England were now groaning, they had to support the weight of those 18,000,000*l*. of taxes to which the noble lord had alluded, increased as they would have been in value, though stationary in amount, it would be absurd in any man to deny the impossibility of the country supporting so intolerable a load. The statement of the noble lord served, therefore, instead of injuring, the argument which he (Mr. B.) had used. As to the objections which his hon. friend (Mr. Ricardo) had adduced against his arguments; his hon. friend had stated, that from his argument upon the leather-tax he had been afraid that he (Mr. B.) was intending to prove that taxation was a benefit. Now that really was not a fair inference from what he had stated; and when he heard his hon. friend draw it, he could only account for it by supposing that he had listened with so much attention to the speech of the noble marquis, as to have become infected at least with a jocose spirit of misrepresentation by which that speech had been so greatly distinguished. The reason that he had given why some parties interested in the leather trade were anxious to have the tax on leather continued, was of the following nature:—He had supposed them to be deliberating on the policy of repealing that tax, and he had put into their mouths that language which on a recent occasion, they had actually used. "We are large capitalists," said they, "and if you take off the tax on leather you will allow men with small capitals to compete with us; and by so doing you will deprive us of the benefit which we now derive from the extent of our own." That was the case in the leather-trade, and would also be so in agriculture, if they could find agriculturists with capitals so large as to be able to drive the small capitalists out of the market. The hon. member then proceeded to comment upon the manner, in which the noble marquis had called upon the country gentlemen to vote for the previous question. The noble marquis had told them that he would not call upon them to negative his (Mr. B's.) proposition on the present occasion, because if they did not like that which he himself intended to submit to their notice on Friday next, they might then move it as an amendment. No sooner, however, had that expression escaped him, than he recollected that there might be something serious in it; for it might happen that the country gentlemen, finding his plan to be no plan, and his relief not entitled to be called by that name, might then affirm the proposition which he had that evening endeavoured to get rid of by the previous question. So the noble

marquis immediately set about preparing another string to his bow. "I'll put off," said he, "the decision on this famous plan of mine a little longer, rather than let the country gentlemen have an opportunity of coming so early in the session to a decision on the question of reduction or no reduction of taxes. I will tell them to take as much time as they please, and not to make a hasty decision upon it." Thus, by foul means or fair means, by wheedling one part or menacing another, by joking with a third, or threatening a fourth that he will resign—that *ultimum supplicium* which he reserved for his followers—the noble marquis trusted that he should be able to postpone for some time the evil day upon which taxation must inevitably be reduced. The threat of resignation was the whip with which the noble lord used to flog up the sinking spirits of his adherents, whenever he was hard pressed on the subject of retrenchment, or whenever he saw that the feeling of the country was producing an effect on its representatives, or at least on those who ought to be its representatives. In all such cases, the noble marquis held out the threat of resignation, which spread mighty alarm among his dependents, but not the slightest amongst the mass of his countrymen. He did not know how the present motion would be decided; but in whatever way it might be decided, he was quite sure that the noble lord would not carry his threat of resignation into effect. He offered it as a topic of consolation to the noble lord's trembling adherents, that the present minority, if the noble lord should be so unfortunate as to be in one, would not be the first in which he had stood: and though on the former occasion he had said, that such a circumstance might lead him to throw up his employments, there he still sat on the Treasury bench in full possession of them all. He must confess that in the face of such threats as the noble marquis had held out to the country gentlemen, he had not much expectation of their votes. To remind them, however, of what their duty was, he should simply state that every gentleman who voted for the previous question must either believe that the reduction of taxes was an ingredient in the noble marquis's plan, or must hold himself up to the country as the enemy, and the efficient enemy, of a reduction of taxation.

The previous question being put, the House divided: Ayes 108. Noes 212. Majority against Mr. Brougham's motion 104.

List of the Minority; and also of the Majority.

MINORITY.

Abercromby, hon. J.
Althorp, visct.
Beaumont, T. W.
Barham, J. F. jun.
Baring, sir T.
Baring, Henry
Barnard, lord
Bernard, visct.
Benett, John
Benyon, Benjamin
Bernal, R.
Brougham, Henry
Burdett, sir F.
Byng, George
Boughey, sir T. F.
Burrell, sir C.
Burrell, W.
Bentinck, lord W.
Carter, John
Calvert, C.
Calvert, N.
Clifton, lord
Coffin, sir I.
Crespigny, sir W.
Crompton, S.
Curwen, J. C.
Creevey, Thos.
Calthorpe, hon. F.
Curteis, E.
Davies, T. H.
Denison, W.
Dundas, Chas.
Davenport, D.
Ebrington, visc.
Ellice, Ed.
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord J.
Frankland, R.
Farrand, R.
Fane, John
Grattan, J.
Graham, S.
Gurney, Richard
Hamilton, lord A.
Haldimand, Wm.
Heathcote, G. J.
Heron, sir Robt.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hume, Joseph
Hurst, Robt.
Hutchinson, hon. C. H.
James, W.
Jervoise, G. P.
Lemon, sir W.
Lennard, T. B.
Lawley, F.
Leake, W.
Maberly, W. L.
Macdonald, Jas.
Madocks, Wm.
Marjoribanks, S.
Markham, admiral
Martin, John
Monck, J. B.
Moore, Peter
Neville, hon. R.
Newport, sir J.
Nugent, lord
Ossulston, lord
Palmer, C. F.
Pares, Thos.
Pelham, hon. C. A.
Phillips, G. jun.
Price, Robert
Portman, E. B.
Ricardo, D.
Robarts, A.
Robarts, Geo.
Robinson, sir G.
Rowley, sir W.
Russell, lord John
Rice, T. S.
Rickford, W.
Smith, hon. R.
Smith, G.
Smith, W.
Smith, Abel
Scarlett, J.
Sefton, earl
Scott, James
Stanley, lord
Stuart, lord J.
Sykes, Dan.
Tennyson, C.
Titchfield, marq.
Tavistock, marq.
Whitmore, T. W.
White, Luke
Whitbread, W.
Whitbread, S.
Wilkins, W.
Williams, T. P.
Williams, W.
Winnington, sir T.
Wood, M.
Wyvill, M.
Wilson, sir Robert

TELLERS.

Calcraft, J.
Duncannon, lord

PAIRED OFF.

Scudamore, R. P.

SHUT OUT.

Birch, Joseph
Bennet, hon. H. G.
Browne, Dom.
Cavendish, H.
Cavendish, C.
Lambton, J. G.

MAJORITY.

A'Court, E. H.
Alexander, J.
Arbuthnot, rt. hon. C.
Ashurst, W.
Astley, sir J.
Atwood, M.
Balfour, John
Bankes, Henry
Bankes, George
Bastard, E. P.
Bathurst, rt. hon. C.
Bentinck, lord F.
Binning, lord
Blair, J. H.
Bourne. rt. hon. W. S.
Bridges, G.
Broadhead, T. H. L.
Brogden, J.
Browne, rt. hon. D.
Browne, P.
Buchanan, J.
Burgh, sir U.
Butterworth, Jos.
Buxton, J. J.
Cholmondeley, lord H.
Calvert, John
Cecil, lord Thos.
Chamberlayne, W.
Cheere, E. M.
Cherry, G. H.
Cholmondeley, sir M.
Clarke, hon. C. B.
Clements, hon. J. M.
Clive, visct.
Clive, hon. R.
Clive, Henry
Cockburn, sir G.
Cocks, hon. J. S.
Cole, sir C.
Collett, E. J.
Cooper, R. B.
Chandos, marq. of
Coote, sir C.
Copley, sir J. S.
Corbett, P.
Courtenay, T. P.
Cranborne, visct.
Crawley, Sam.
Croker, J. W.
Cumming, G.
Cust, Hon. E.
Davis, R. H.
Dawkins, Henry
Dawson, G. R.
Dent, John
Dickinson, Wm.
Divett, Thos.
Dobson, John
Domville, sir C.
Doveton, Gabriel
Dowdeswell, J. E.
Downie, R.
Duncombe, C.
Duncombe, W.
Drake, T. T.
Dundas, rt. hon. W.
Evelyn, Lindon
Egerton, W.
Eastnor, visct.
Fane, Vere
Fetherstone, sir G.
Fleming, John
Fleming, John
Forbes, C.
Ford, Matthew
Forrester, Francis
Fynes, Henry
Gascoyne, Isaac
Gifford, sir R.
Gilbert, D. G.
Gladstone, John
Gooch, T. S.
Gordon, hon. W.
Gossett, W.
Grant, A. C.
Graves, lord
Grenfell, Pascoe
Greville, hon. sir C.
Handley, Henry
Hardinge, sir H.
Hart, G. V.
Harvey, sir E.
Harvey, C.
Hawkins, sir C.
Heygate, alderman
Hill, sir G.
Hill, Rowland
Holford, G. P.
Holmes, W.
Hope, sir W.
Hotham, lord
Howard, hon. F. G. H.
Hudson, H.
Huskisson, rt. hon. W.
Innes, John
Jenkinson, hon. C.
Jolliffe, W. G. H.
Irving, John
King, sir J. D.
Kinnersley, W. S.
Knatchbull, sir Ed.
Knox, hon. Thos.
Lamb, hon. Wm.
Lascelles, hon. W.
Leigh, J. H.
Lethbridge, sir T.
Lewis, T. F.
Lindsay, hon. H.
Littleton, Ed.
Lloyd, S. J.
Londonderry, marq. of
Lowther, H.
Lushington, S. R.
Lygon, hon. H. B.
Macnaughten, E. A.
Macqueen, J. P.
Magennis, Rd.
Manners, lord C.
Manners, lord R.
Manning, W.
Mansfield, J.
Marryat, Jos.
Martin, sir T. B.
Mills, C.
Mitchel, John
Money, W. T.
Morgan, G. G.
Morland, sir S. B.
Mountcharles, lord
Musgrove, sir P.
Neale, sir H. B.
Needham. hon. F. J.
Nightingale, sir M.
Nugent, sir G.
Nolan, M.
O'Grady, S.
Ommanney, sir F.
O'Neil, hon. John
Onslow, Arthur
Osborne, sir John
Palk, sir L.
Palmerston, visc.
Paxton, W. G.
Pearse, John
Pechell, sir Thos.
Peel, W.
Pellew, hon. P. B.
Percy, hon. W.
Phipps, hon. gen.
Pitt, W. M.
Plumber, John
Pole, sir P.
Powell, E. W.
Pringle, sir W.
Raine, J.
Rice, hon. G.
Robertson, A.
Robinson, hon. F.
Rowley, sir Josias
Russell, J. Watts
Scott, Sam.
Sheldon, R.
Shiffner, sir G.
Skeffington, hon. T. H.
Smith, R.
Smith, T. A.
Somerset, lord E.
Somerset, lord G.
Sotheron, F.
Stuart, sir John
Stuart, W.
Strutt, T. H.
Sumner, G. H.
Taylor, sir H.
Taylor, G. W.
Thompson, W.
Thynne, lord John
Townshend, hon. H.
Trench, F.
Tudway, J. P.
Tulk, C. A.
Twiss, Horace
Ure, M.
Vansittart, rt. hon. N.
Vernon, G.
Villiers, rt. hon. John
Wallace, rt. hon. T.
Wall, C. B.
Walker, Joshua
Ward, Robt.
Warren, C.
Wells, John
Wellesley, Rd.
Wetherell, C.
Western, hon. H. R.
Wigram, Wm.
Wilbraham, E. B.
Williams, Rt.
Willoughby, H.
Wilmot, Rt.
Wilson, sir H.
Wilson, Tho.
Wodehouse, hon. J.
Wodehouse, hon. E.
Wood, col.
Wortley, J. S.
Yorke, sir J.

PAIRED OFF.

Blake, R.

HOUSE OF COMMONS.

Tuesday, February 12.

SLAVE TRADE LAWS CONSOLIDATION BILL.] Dr. *Lushington* rose to bring forward his motion for consolidating and amending the several acts relating to the Slave Trade. For a period of 30 years, several statutes had been enacted to promote the abolition of The Slave Trade, which were much at variance with each other. Some of the gentlemen proposing such enactments not having taken the trouble to examine the statutes which had previously passed, great difficulty was often felt in coming to a right conclusion upon the law, or in making a satisfactory distinction between one statute and another. This difficulty was peculiarly felt by our legal tribunals in the

colonies, and still more by the officers of our navy. Hence it became highly desirable to have all these laws consolidated, amended and explained. It was not intended to make any change in the principles of the law as it stood; but if he was allowed to introduce his bill, after that bill was printed, and upon the motion for its committal, he should lay before the House a further explanation of his views with respect to these laws. If the present measure should meet with the approbation of the House, it was his intention, in the next session to apply the same principle of consolidation to some other branches of the statute law, to which it might be advantageously extended, he alluded more particularly to the statutes relating to the criminal law. He should now move for leave to bring in a bill to Amend and Consolidate the Laws relating to the Slave Trade.

Leave was given to bring in the bill.

Distributors of Stamps.] On the resolution for granting a supply to his majesty being read,

Mr. *Hume* said, that before he agreed to this resolution, he begged leave to ask the secretary to the Treasury, whether it was the intention of government to adopt any new regulations, or to propose any plan with regard to the office of distributors of stamps? The gentlemen who composed the committee appointed to inquire into this subject last session, were extremely anxious to know what measures were about to be adopted by ministers. He was quite sure, that if the government intended to submit a plan to the House, those who urged the necessity of some new regulation in the last session would not press them. At the same time, it was necessary to know whether any measures would be taken by ministers on this subject.

Mr. *Lushington* said, it was certainly the intention of the chancellor of the Exchequer, to submit a plan to the House, with regard to the regulation of this office.

HOUSE OF COMMONS.

Wednesday, February 13.

Agricultural Distress.] On presenting a Petition from the owners and occupiers of land in Lewes and Pevensey Rapes,

Mr. *Curteis* took occasion to observe, that the petitioners had twice laid their case before parliament, and had twice been told, to wait with patience the effects of time: they had waited, and the consequences had been an aggravation of their sufferings and an exacerbation of their feelings. They now once more approached the House in firm, but respectful language, claiming its interference in their behalf. The hon. member then detailed the principal arguments contained in the petition, expressing his decided approbation of them: he also adverted to the question of averages, to the warehousing system, and to the effect of tithes and poor-rates upon land, and argued, that protecting duties might afford the farmer the relief he sought, inasmuch as the effect of them would be to prohibit the competition of foreign grain, and to raise the price of our own. He had already this session given two votes in favour of economy and retrenchment; and as his constituents were unanimous upon the subject, he should not fail to follow them up by other votes against the extravagant system pursued by ministers.

Mr. *Ellice* contended, that the notion of protecting and prohibiting duties, though still maintained by Mr. Webb Hall and other visionaries in their reveries, had long been given up and exploded both in parliament and in the country. Relief was, in fact, only to be obtained by effecting the greatest possible reduction of taxation. He was surprised to hear that the hon. member was still a disciple of Mr. Webb Hall, from whose project of high prices the utmost injury would result, if it were attempted to be carried into execution. The hon. member hoped to see the corn grower and corn-consumer put upon the same relative footing in this country as on the continent.

Mr. *Wodehouse* also expressed his astonishment that any member should still be inclined to support the doctrines of Mr. Webb Hall.

Mr. *Hume* said, that the hon. member for Sussex complained with a very ill grace that the petitioners had been sent back unredressed in the last and in the preceding session. Why had they obtained no relief, but because the hon. gentleman and others constantly voted with ministers in favour of their extravagant expenditure of the public money? True it was, that within the last fortnight he had given two votes for economy; but

could he show one vote with the same tendency either in the last or in the preceding session?

Ordered to lie on the table.

THOMAS FLANAGAN.] Mr. Alderman *Wood* said, he had been intrusted with a Petition from an individual who complained of many hardships. It stated, that an Orange faction having obtained various securities of his, proceeded against him and obtained a verdict from an Orange jury, on a charge of an assault in attempting to escape from the custody of an officer; that he had been unable to obtain justice in consequence of the detention of various papers; and that several interviews he had had with the marquis of Londonderry had been ineffectual for that purpose. He prayed therefore for copies of his correspondence, and of the information under which he had been convicted.

Mr. *Peel* said, that while he was chief secretary for Ireland, he did not recollect having heard of any circumstances of the kind.

The petition being read, it appeared to be from Mr. Thomas Flanagan, of Sligo.

Mr. *Peel* immediately added, that the name of an individual so notorious brought the facts to his recollection. He was perfectly certain that the petition contained many very gross falsehoods.

Ordered to lie on the table.

BREACH OF PRIVILEGE—OPENING OF LETTERS SENT TO MEMBERS.] Mr. *Hume* complained, that a letter, addressed to him from a convict on board the hulks, had been opened and sent to him, marked "Opened by the Inspector." He thought this an invasion of one of the privileges belonging to members of parliament.

Mr. *Peel* said, that the regulation that no letter should be sent by convicts on board the hulks, unexamined by the inspector, had existed from the earliest institution of the punishment of transportation, and it had been uniformly observed; and he saw no reason why a letter to a member of parliament should be excepted from the general rule, as that hon. gentleman might otherwise be made the innocent instrument of fraud. In April last, the escape of some convicts was prevented by the opening of a letter; and the very criminal who had addressed the hon. member had been very recently detected in a fraud, which might have been effected but for the opening of a letter. If he recollected rightly, the name of the hon. gentleman's correspondent was Jones.

Mr. *Hume* added, that as late as last Saturday week the conduct of that convict had been highly applauded by the persons in authority on board the hulks.

Mr. *Peel* observed, that the fraud of which he spoke had been detected since that day.

Mr. *Bennet* much doubted the fitness of the rule which prevented unopened communication between members of parliament, and convicts who might have just ground for complaining of treatment, food, or other grievance. He apprehended that it was a breach of privilege to open a letter addressed to a member of parliament; and he read an extract of a letter from lord Sidmouth to support his opinion. He had accompanied his hon. friend to the hulks, in consequence of the letter in question, and found that the prisoner had no ground of complaint.

Mr. *James* complained, that the keeper of Lancaster-gaol had opened a letter he had sent to a person confined for only a misdemeanor. He thought such conduct highly improper.

Mr. *Brougham* wished to enter his protest against the doctrine, that it was not a gross breach of privilege to open a letter sent under cover to a member of parliament. It was the constant assertion, that the privileges of members were given them for the public benefit; but where were those privileges if they were to be thus invaded with impunity? He did not go so far as to maintain that it was a breach of privilege to open, under such circumstances, a letter franked by a member; but to open a letter addressed to a member was as violent an outrage of his privileges as to put his person under arrest.

Mr. *James* gave notice, that to-morrow week he would bring forward a motion on the subject of breaking open letters addressed to members of parliament.

MOTION RESPECTING SIR ROBERT WILSON'S REMOVAL FROM THE ARMY.] Sir *Robert Wilson*, rose and said:* if, sir, the object of the present motion were limited to matters of a personal and private nature; if my own individual character or particular interests were alone concerned, deeply as I feel myself outraged and aggrieved, I should still, from various

* From the original edition printed for Ridgway.

considerations, some of which may develope themselves in the course of this discussion, have been disposed to submit in silence. Feeling, however, as I do, that this question involves others of most serious importance to the public interests—sensible, as I am, that it touches even the safety of the people of England—I should most justly subject myself to reproach, if I shrunk from the discharge of my duty, and refrained from bringing this question under the consideration of the House.

Arduous and painful as is the duty which is imposed upon me—and I can assure the House that I feel most sensibly the arduous and painful nature of that duty—I must still confess that I feel this to be one of the happiest hours of my life, because, I see the moment at length arrived when I can, in the face of my adversaries, in the face of this House, and consequently of all Europe, redeem the pledge which I have given to my constituents, and vindicate my honour to a generous and confiding public.

I am sure I need not, under such circumstances, ask the patient and indulgent attention of the House. I feel confident that I shall experience that courtesy and liberality which are the usual characteristics of a British House of Commons.

When I first gave notice of this motion, the House heard me address myself to the noble marquis, with a view of ascertaining whether it was his intention to grant or refuse the papers which it was the object of my motion to obtain. The noble lord's answer left no alternative but to open the whole question of my removal from the army, and, as far as I am able, to bring every circumstance connected with that transaction into direct statement and discussion.

I had certainly flattered myself that the noble marquis and his colleagues would have adopted a different course; that they would at length have abandoned their most unjust, ungenerous, and unmanly silence; and although they refused, in the first instance, to grant me a trial; though they had heretofore shrunk from confronting me with any accuser, that they would, upon the opening of parliament, have readily and cheerfully seized the first opportunity to accept my renewed challenge, and afford me the means of grappling with some substantial charge.

I was the more disposed to persuade myself that such would be the course adopted by his majesty's ministers, when I recollected the recent accession to the administration—when I considered that I should see upon the opposite benches, some gentlemen who had always professed to act under the counsels, and regulate their conduct, by the constitutional doctrines of a noble baron in the other House, who had said, on a recent occasion—"God forbid I should ever see the day when his majesty's ministers wished to suppress any evidence, or conceal any circumstances, necessary for the justification of an arraigned individual."

The more I reflect on the fact, the more I am astonished, that in England, this vaunted sanctuary of justice, a condemned individual should be obliged to come here and pray for respect to the first principles of equity. That he should be obliged to solicit from his punishers, not having had any accusers, communication of the fact or facts upon which he was arraigned in secret councils, and the ex-parte statements upon which he has been adjudged by clandestine process.

It is not my intention at present to enter into the question of the asserted prerogative of the crown to dismiss officers at its will and pleasure—I do not wish to engage in that discussion, lest it might occasion any division of opinion unfavourable to the object of my present motion; but I reserve to myself the right of maintaining, on some future occasion, that this asserted right is a violation of the spirit of the constitution and of that part of the law regulating military discipline, which is annually enacted in this House. That, in every point of view, this prerogative, exercised in the manner in which his majesty's ministers are exercising it, is incompatible with the honour and just interests of the army, and irreconcilable with the freedom and safety of the people of England. That such a prerogative would wholly disqualify officers from acting as members of parliament, and, consequently, would deprive the army of a description of persons necessary to the preservation of its character and independence. That it is a prerogative which would, moreover, incapacitate officers from acting as judges in criminal matters cognizable by courts-martial: and, above all, that it would disqualify them from discharging those inalienable duties which they owe to their country, to the laws, and to society; that it is a power dangerous for all bad purposes, unnecessary for all good ones, and which could never be exercised

arbitrarily (that is, without the consent of the parties), but to the abuse of individual right, and to the prejudice of the public welfare.

But, sir, the question which I am now bringing under the consideration of the House, cannot be considered as trenching upon any prerogative of the Crown; no, not even in the view of its most partial zealots, because I believe no man in this House will venture to affirm, that any act of the prerogative can be exercised, except under the sanction of responsible ministers, and through the agency of responsible servants.

I am aware that there have been times when different language has been held; when the most base and slavish doctrines have been openly avowed and defended—when the maxim *à deo rex, à rege lex,* has been maintained in the senate and on the bench—when political judges have declared, that "the king of England was the law of England; that the king could control and dispense with the law as he thought fit: that the penal laws themselves were not made to control, but to give effect to the arbitrary will of the monarch; and that, as the king had the power to pardon, so had he the power to punish."—I am aware, sir, that there were generals, such traitors to their country, as to declare, that they would hang up any lawyer who ventured to dispute this doctrine: or to maintain that the king at his will and pleasure had not a right to subject every man in the kingdom to the action of martial law.—I know, also, sir, that there was a king who said, "that as it was atheism and blasphemy to dispute the will of God revealed in his word, so was it presumption and sedition to dispute the will of the king, revealed in his own law"—but, sir, the revolution of 1688 admonished judges, generals, and kings, that prerogative could not be stretched to the power of doing wrong: that if so stretched, it would not only relax, but break: and that it was in fact but discretionary power, which, if abused to the public detriment, could only be so abused by evil councillors and wicked ministers, who might be cited, examined, and punished.

Before I enter into the proof which will, I think, establish the culpability of ministers in this transaction, and prove that they have been guilty of an act of arbitrary power, to the prejudice of individual right, and the detriment of the public safety, I beg leave to direct the attention of the House to the description of person who is now preferring a complaint against his majesty's ministers.—First of all, that person was an officer of twenty-nine years standing in the service, who, although he had no proof of those services having been requited by his own government, could nevertheless produce a letter of the commander-in-chief, declaring "that his services deserved those professional distinctions and rewards to which his ambition aspired." He was an officer, also, who was a member of parliament, one, who had felt it his duty to oppose his majesty's ministers, and I declare to God, for no other reason, but because he considered the policy pursued by them to be fatal to the interest, the character, and the honour of the country—because he believed their measures were calculated to establish a violent government—because he believed them to be enemies to a fair and free representative system—therefore, the enemies of their country, and of the general liberties of mankind.—Under such circumstances, unless strong grounds could be shown for the removal and degradation of such an officer, there was reason to infer that his majesty's ministers were actuated by some morbid resentment, or some malignant political feeling. If this were not the case, whence arose that violation of the property which he had vested in his commission? Why was his property confiscated in so illegal and unprecedented a manner?

Great misconceptions have gone abroad on this subject. It has been supposed, that his removal from the army necessarily entailed the loss of the money vested in the purchase of his commissions. But on this subject, I beg leave to read an extract from a letter of the commander-in-chief, and from which it will appear, that, in the year 1814, a new regulation was adopted—major-generals holding field-officer's commissions were requested to accept an unattached rate of pay, and allow their regimental commissions to be filled up by effective officers—an arrangement which in no way benefited lieutenant-colonels of cavalry, the pay proposed being the same with that enjoyed; but to secure them from any loss of that property which was vested in their regimental commissions, the commander-in-chief wrote, in an official circular, dated July 24, 1814—"I am further to acquaint you, that any of the present general-officers

holding regimental commissions, may have the option of retiring from the service by disposing of the same at a regulated value; or, should they now accept the allowance, they may hereafter have the power of disposing in like manner of an unattached commission, similar to that which they have relinquished." Why, then, did his majesty's ministers inflict the punishment of cashiering? a punishment considered, in the Annual Mutiny bill, next only in gradation to that of death,—was it in the miserable hope of making that officer feel pecuniary privation, and in the expectation, that under the pressure of pecuniary embarrassment, a man who had rendered himself obnoxious to them would be obliged to resign his seat in parliament, and seek refuge in a foreign country?

It is extremely painful to be under the necessity of alluding to private and family circumstances: but, painful as it is, this view of the question has so important a bearing upon the case, that I cannot refrain from adverting to them. They are circumstances connected with my case, which I think will engage the sympathy as well as the justice of this House.

It is well known that it has pleased Providence to afflict more than one member of my family with one of the greatest calamities to which human nature is liable—and it is equally well known, that this calamity had excited feelings of strong sympathy and interest in the mind of the king. When, therefore, his majesty's ministers advised the king to subscribe his hand to the instrument which was not only to effect my ruin and degradation, but to levy war on the domestic comforts of that family, and mar the prospects of unoffending children, it was inferred that I must have been guilty of some heinous and enormous offence—such as to make even this accumulated severity of punishment a measure of lenity and forbearance. I state this more feelingly, because I know that British officers of high rank, who were not enemies to me, nor in any way disposed to aggravate the distress to which I was exposed, felt persuaded, in their blind confidence of the justice and humanity of his majesty's ministers, that I should not have been thus removed from the army without inquiry, if the publicity of a trial had not been calculated to augment my disgrace, and aggravate the calamity and distress of my family. The journals, supposed to be under the influence of his majesty's ministers, were constantly throwing out the same insinuations: and scarcely a day passed in which I was not made the subject of some scandalous libels. The authors of those libels knew that they could propagate slander with impunity—they knew that they were not amenable to the laws; because there was the fact, that I had been dismissed the service under all the circumstances stated; and the inference was reasonable, that I could not have been so dismissed, without having dishonoured, and rendered myself unworthy of, my profession.

Will his majesty's ministers persist in this system? Will they deprive a man who has contended in so many battles, and toiled in so many campaigns, for the honour of his country, of that protection which the laws extend to the humblest artisan and mechanic? If they will persist in this course, I call upon this House, as dispensers of law and justice—I call upon them, as legislators and as gentlemen, to protect me on this occasion. I entreat them not to be influenced by motives of political bias. I conjure them to cast away all party feeling—to do by me as they would be done by; and to extend the same measure of justice to me, which they would wish to see extended to themselves, their children, their relatives, or their friends. If I am innocent, I have a right to be tried, that I may receive an honourable acquittal—if I am guilty, the law, the country, the army, have a right to know my offence. They have a right to know the nature and character of that offence, that the punishment which it demands may serve as an admonition to others. What is the object of all punishment? Example. And where is the example? What benefit can be derived to discipline, to society, to the civil or military establishment, by inflicting a punishment, while at the same time the offence is studiously concealed? This is conduct irreconcilable even with a system of wild justice: it is, in fact, no justice at all—it is more atrocious and more destructive, in its consequences, of the rights and liberties of a people, than the dark, mysterious powers of the Inquisition. Even the Turk, now the object of our fostering care, when he applies the bowstring, or strikes off the head of his slave, condescends to affix a label on the breast of his victim, announcing the crime for which he suffers.—If I am to be deprived of all protection—if

the House sanction a system of terror, the sure precursor of a military despotism—if they sanction the irresponsible power of punishing without accusation, they will make the officers of the army the blind instruments of the will of the sovereign—they will enable the sovereign to annihilate our free institutions at his pleasure, to frustrate all the glorious labours, and render nugatory all the generous sacrifices, of our ancestors.

I have not brought my case under the consideration of this House, without having first done every thing in my power to keep it in the official channels. I applied to the commander-in-chief, until I was refused access; I applied to the home-department, until I was told that perjury would be protected by the seals of office.

I am aware that, in bringing forward this question, I may subject myself to the imputation of innovating upon the rules of equity, and that the course I am taking may appear in some degree prejudicial to the interests of others who may be placed in the same situation—for I stand here—not to grapple with charges, but with shadows—not with substantial accusations, but with surmises, rumours, and reports—still it is the truth. It is the truth, the whole truth, and nothing but the truth, that on this night I feel it my duty to expose. I shall do so with a relation of all the circumstantial details that have occurred; and I call upon any hon. member of this House, acquainted with any of the particulars, to state them; as I declare, on my honour, that it is my conscientious wish every circumstance connected with those proceedings, to which I have been a party, should be thoroughly exposed and canvassed.

In the ignorance in which, though punished, I have been kept, I am only left to presume that his majesty's ministers have recommended my removal from the army, in consequence of certain transactions which occurred either on the 14th of August last, or on some occasion connected with the events of that day.

It was, sir, on the 9th of August, at count Orloff's, that I was informed by sir Charles Stuart, he had just received a telegraphic communication of the demise of the Queen. I beg most particularly to call the attention of honourable members to this fact, because I know it has been falsely represented for the purposes of calumny. It has, I know, been most industriously circulated, that I first received the intelligence of her majesty's demise at a dinner in Paris, at which were assembled thirty French officers; and that when the communication was made, I used an expression which outraged the feelings of all present. The answer to that base calumny is, that the communication of her majesty's demise was, as I have stated, imparted to me by the British ambassador; and I can appeal to his testimony in verification of that fact.

Having understood that the member for Coventry (Mr. Ellice) was in Paris, on his way to England, I hastened to find him, and we made arrangements to travel together, that hon. member having postponed his journey from Thursday until the Saturday morning, at day-break. The hon. member will testify to the truth of this statement; he will also confirm what I now say, that when we left Paris, we had no intelligence of any particulars, only of the mere fact of the queen's death.—We travelled to Boulogne, where we arrived on the 12th, and it was there that I was informed, by a French courier, that her majesty's funeral was to take place on the 14th, and that she had left orders to be buried at Hanover—[some honourable member, in a low tone, said Brunswick.] Hanover, I think, was the place the courier mentioned. I wrote to Dr. Lushington, as one of the executors of the Queen, and in that letter, "I placed myself at the disposition of the executors, as being anxious to pay a last tribute of respect to her majesty, by attendance at the funeral." I wrote also to my son, who was an equerry to her majesty, desiring him to wait upon the executors, and inform them that I should be in London on the afternoon of the 13th. I arrived on that afternoon, and was informed by my son, that if I went to the Queen's town-house, I should find a carriage to take me to Brandenburgh House, where her majesty's executors would be in attendance, and where they expected me.—I went immediately to South Audley-street, but was too late. I crossed over to the house of Alderman Wood, whom I found just preparing to set out for Brandenburgh House, with Mr. Ellice. I accompanied them; and I call upon Mr. A. Wood to confirm the statement I now make. Speaking of myself and the hon. member for Coventry, I mentioned our mutual intention to attend the funeral of her majesty in one

of the mourning-coaches furnished by his majesty's government. Having learnt from Mr. A. Wood, in reply, that his application had been refused, I told him "that I then should not make any application, as I did not wish to expose myself to a similar refusal, or in case I obtained permission, to aggravate the affront he had received."

When I arrived at Brandenburgh House, I had no conversation with any person who was not of her majesty's household. I mention this circumstance the more particularly, because I know information has been given, that I had attended a clandestine meeting at Hammersmith, at which arrangements were made for the obstruction of her majesty's funeral. We came to town at five o'clock, and found Dr. Lushington and Mr. Wild engaged in a correspondence with lord Liverpool, there being a doubt whether or not the funeral would take place next day; it having been understood by the executors that no arrangements were made at Stadt for the reception of the body.—After waiting some time, the hon. member for Ilchester, Dr. Lushington, observed, that if I could see the hon. member for Aberdeen, at the Freemasons' Tavern, at nine o'clock, it was possible that I might receive some information whether or not the funeral would take place or the next day. Not having seen the hon. member for Aberdeen, at nine o'clock, according to a request conveyed to him through Mr. Alderman Wood; and believing that he had gone to the Freemasons' Tavern without calling on me, I determined to go there. On my arrival, I entered a room, where a few gentlemen, not more than eleven or twelve, were assembled: I was asked to go into a larger room, where I understood a number of gentlemen were assembled, (and amongst them some of my own constituents) anxious to know the particulars as to the funeral: I declined, "as I had no information to give, or explanation to make." I almost immediately went away, and so quickly returned to my own house, that my brother-in-law, lieutenant-general Bailey Wallis, whom I had left there, observed, "that although he knew I moved rapidly, he could not believe I had been to Great Queen Street." I do not think my stay at the Freemasons' Tavern exceeded five minutes. This I feel to be most important, because I know it has been stated that I came from Hammersmith to the Freemasons' Tavern, with appearance of haste, in order to take a part in the proceedings of that meeting. I went afterwards to Brookes's Club House, where I met the hon. member for Winchelsea (Mr. Brougham) who was quite ignorant of the definitive arrangements which we presumed had been concerted between lord Liverpool and the executors: but, before eleven o'clock, Dr. Lushington and Mr. Wild came, and we found that they were still engaged in their correspondence with lord Liverpool, and that nothing had been settled. We separated after midnight, with an understanding that we should meet, at all events, at Brandenburgh House in the morning.

Before six o'clock on the morning of the 14th, I called on Mr. Brougham, who was still in his apartment; and I then proceeded to Mr. Alderman Wood's house, where I mounted a small handsome well-conditioned horse belonging to him. I mention the description of the horse, because I know there have been depositions relative to a man mounted on a tall, thin, dark-brown horse. Proceeding to Brandenburgh house, I held no conversation with any individual whatsoever, except with the worthy alderman, whose carriage I overtook: nor did I observe the slightest indication of any preparations to obstruct the intended route of the funeral. The worthy alderman will, I am sure, also confirm this statement.

At Brandenburgh house I held no conversation with any one, except the members of her majesty's household. There I remained in the room which I first entered, until I was called upon by the hon. member for Ilchester, Dr. Lushington, to accompany him in his capacity of an executor, to the room where the Queen's body lay, and hear the protest which the hon. member found himself bound to make. The protest was read, and a demand was made upon the undertaker to produce the authority under which he was about to remove the body. He produced a paper, not signed by any secretary or under secretary—it was merely a programme of the procession, and that unsigned, which he called his authority. I then addressed myself to sir G. Naylor, who was there in some heraldic character, observing "that there were some hon. members who wished to pay their tribute of respect by riding at the side of the hearse." His reply was, "that it was not regular on such occasions,

and that the proper place for those gentlemen would be after the last mourning coach." I immediately conveyed that information to those gentlemen, and about eight o'clock the funeral procession, in the manner arranged, left Brandenburgh house. It proceeded without a halt, until the advanced post arrived at the road which struck off by the church at Kensington. Some time after the halt, myself and other hon. members of this House, heard several persons, coming down the line of the procession, say "there was much confusion amongst the parties at the head of the procession, and that the soldiers were cutting down the people." It was remarked to them, "that they were wrong in spreading false rumours, and that they ought to be more careful." After about an hour's halt, the report of some contention between the people and those who conducted the funeral, being repeated by others passing from the place where the interruption occurred, I asked my hon. friend the member for Aberdeen, to accompany me to the spot, in order to ascertain the real cause of the halt. Some gentlemen wished to accompany us, but this was positively refused. We proceeded until we arrived close to the officer who commanded the blues. His countenance was familiar to me, but his name unknown. I believe him to be lieutenant-colonel Bouverie. I entered into conversation with him, and said "I understood that a message had been sent to the earl of Liverpool, for the purpose of ascertaining whether or not the procession should be allowed to pass through the city. That I thought this would be the best way to settle the question, for the undertaker did not seem to have any powers, and certainly none which would justify the interference of the military." The officer answered, "that he considered himself in command of a guard of honour, and that he did not feel it his duty to interfere without an express order and sufficient authority." "But," he added, "the people are acting very wrong. They have stopped a baggage-waggon proceeding to Windsor under the charge of a non-commissioned officer of the foot guards." I observed to him, "that it was very hard on the soldiers, and the poor women to be kept in that deluge of rain, and I would endeavour to persuade the people to release the waggon." The commanding officer said, "he only expressed an opinion;" to which I replied, "that I considered it only as his opinion." I moved forward and expostulated with the people, stating "the hardship upon the battalion which had marched, to be deprived, on arrival at their quarters, of their comforts and their wives;" when the people very good-humouredly assented to my proposition, and the waggon was allowed to proceed on its route. The non-commissioned officer touching his cap in token of acknowledgement.

I then resumed my place in the rear of the mourning-coaches, from which I never stirred but to go up what appeared a blind lane, but which I found was connected with Kensington. The only person to whom I spoke was a gentleman's servant, who, seeing me very wet, civilly asked me to take shelter in his stable. In five minutes the procession moved forward in the direction of Hyde Park; and soon after, a gentleman rode down the line, communicating the information that Sir R. Baker had agreed to the progress of the procession through the city, in compliance with the wishes of the people. The head of the procession had actually passed the gate of Hyde Park, when to general surprise, the hearse was turned round and entered the Park gates. The people seemed very angry, and expressed themselves as if they felt deceived. The gentleman who had communicated the consent of Sir R. Baker to the movement through the city, appeared again, and was obliged to pacify the people, irritated against himself, by declaring that he had only repeated what Sir R. Baker had authorised him to state. The procession moved on very rapidly through the Park, a great mass of the people accompanying.—When near Stanhope Street gate, the rear coach was halted, and I saw colonel Cavendish in coloured clothes, riding fast back from Cumberland-gate. He saluted us as he passed; and I imagined, by his manner and pace, that he was going for troops. In a few minutes a party of the Life-Guards moved rapidly by our right towards Cumberland-gate.—The House are aware that the accelerated movement of cavalry has always an aggressive character, more particularly when the advance is made through collected crowds. The people thought so—hooted, and used some offensive expressions.—I saw no stones thrown at the time, but an hon. member present has told me that he did—presently we saw the people flying back in great confusion from Cumberland-gate and the adjoining parts; the life-guards

were also seen through the railing galloping backwards and forwards, and flourishing their swords; many persons came back and said, "the cavalry were cutting at the people." These reporters were again rebuked, for we imagined the cavalry were only clearing the way, with that temper and harmless intimidation which, in most cases have characterized their interposition. Presently a shot was heard—a second, and a third followed.—I determined immediately to go forward. Some honourable member* advised me not, from personal considerations. I replied, "that it was my duty to preserve or restore the peace if I could; that I thought I might be useful, and that no personal considerations should influence me to neglect my duty." In advancing I spoke with lord Hood, and when I reached Cumberland-gate, I found a difficulty in passing, as the leaders of the leading mourning-coach stood in the gateway. Some person, however, who knew me, lifted up the bars of the traces, and I got through—a circumstance which I state to enable others to fix the moment of my arrival. On passing the gate, I saw the hearse in the middle of the street with the Blues steadily formed round it, but the life-guards in great confusion, similar to that which occurs when cavalry are suddenly thrown back or unexpectedly checked in some deployment. With one glance of the eye, I perceived, that whatever might have been the original orders, the men had now broken away from all authority—that whatever might have been the original provocation, a continued firing, instead of assisting the restoration, tended to promote a further breach of the peace. I asked for a magistrate—I could be directed to none—I asked for an officer—I could find none at the moment—I rode forward to the advanced groupe, and asked them, by whose orders they were firing. They said, "they had no orders, but that they had been ill-treated." I put the question to another party, firing towards the turnpike-gate, who were in equal disorder, and I received many a similar answer. I heard the people say, "they wish to kill more of us;" a man showed me his wounded hand, and almost at the same instant a pistol-shot, fired from behind, passed so near my face that I thought the skin was grazed, a circumstance which made a greater impression on me, as some person, I believe one of the marshalmen, had said on my going forward, "Sir Robert, they are only firing blank-cartridges to frighten." I turned round immediately to the man who I conceived had fired, when I saw two or three men re-loading their pistols. I immediately said, "It is quite disgraceful to continue firing in this manner, for the people are unarmed: remember you are soldiers of Waterloo, do not lose your honours gained on that occasion. You have had cannon shot at your head, never mind a few stones." I solemnly declare, that so far from being carried away by passion, I did not even use an oath on the occasion. The soldiers seemed sensible to the rebuke, and one of them said, "Come, let us put up pistols and form." The firing immediately ceased; and I almost immediately perceived a gentleman, mounted on a troop horse, who I imagined was a magistrate, and who proves to be Mr. White. I said, with some animation, "Sir, there has been firing, and a magistrate ought to be with the troops in such a case. With great mildness, he replied, "he had been where there were impediments, and there it was his duty to have been." I was struck by his manner, and as courteously as I could, observed, that "no doubt he had done what he ought, but he must be aware that officers and soldiers were placed in the most painful and embarrassing situations when a magistrate was not with them;" and I conjured him to keep by the commanding-officer; he said "he would," and made an observation which fully confirmed the view I had taken of the whole proceeding. [State, state! from many members of the House]. (No, I do not wish it. I am here, not in the character of an accuser. I am now upon my own defence.) At that moment I saw the commanding-officer of the life-guards coming from Cumberland-gate rapidly. I lamented what had passed.—He said "he had given no orders to fire, and that he regretted the soldiers had done so." I then begged him to keep a magistrate close by him. He said "he would,"—I perceived Mr. White and presented him; adding to major Oakes, "you had better order a dragoon by his side to keep him near you." Observing, however, that the tumult was likely to be renewed, I mentioned to major Oakes, "that I feared angry feelings, after what had passed, would con-

* Mr. Hume stated in the House, that I held this conversation with him.

tinue so long as his detachment remained on the ground." He said, "that having done his duty by removing the impediments at Cumberland-gate, he did not feel it necessary to stop any longer, but he would go to the commanding-officer of the blues, as I understood him, and mention his intention to withdraw.' He returned, and gave an order for the detachment to file from the right to the front, with the view, as I conceived, of passing back through the park. I, therefore, took the liberty of remarking, "that he had better not move his detachment back through the crowd, along a line of loose flint stones, and by the hearse, but advance along Edgware-road, and take the first street to the right.'' He said "he would execute that suggestion." On turning the corner, I did see one soldier struck violently by a stone on the casque, who showed the greatest temper and forbearance: but I declare, that from the moment of my passing through Cumberland-gate, there was only an occasional stone flung, which seemed to be provoked by the firing.—It being difficult to get back at the moment, I proceeded up the Edgware-road a few yards, when an officer of the horse-guards, accompanied by six men, came up and delivered an order, which I do not think it proper to state, as I overheard it incidentally, to the officer of the blues. Seeing him with so small a detachment, and fearing, from what I perceived, a renewal of hostile feelings between the life-guards and the people, I said, "You are not aware, perhaps, that there has been firing from a detachment of your regiment: your party may be mistaken, and as you have so few men, would it not be better to avoid the risque of any further contention?'' He said "he had executed his orders, and would retire." He did so—on passing round the leaders of the leading coach, there was some entanglement, which I assisted in removing, and the procession moved on along the New-road. Having determined to fall back and replace myself in my station, in doing so I joined a gentleman, who, I believe, was sir R. Baker, to whom I expressed regret that the tumult had occurred, and observed, "this was the most improper of all occasions for such disorders: but it was fortunate the blues seemed popular,* as that might prevent the renewal of the tumult."

Having regained my place behind the mourning-coaches, I remained there till we reached Ilford, when I returned to town about nine o'clock at night, and dined at my own house—a circumstance which I state, because I know, and the noble marquess, I believe, knows, a gentleman, no, he cannot deserve that name, an individual, who went to one of the departments, and officially affirmed, "that on this very day I dined with a person whom I never saw in my life, and drank a most vulgar, if not a most treasonable, toast."

I know not whether any other calumny has included me in any transactions at Colchester; if it should have done so, I assert, that my only acts there, were, to attend, as a mourner, the removal of the coffin from the hearse into the church, and to advise adjournment into the vestry-room, after a controversy with the executors and undertakers had commenced. Having left the funeral at Harwich, I returned to London. On my arrival, I met a friend in the street, who told me, "that I was to be hung and quartered, as it was supposed I was the person who had pre-arranged all the obstructions to the funeral of the Queen." I considered it as a joke, and at that moment paid no farther attention to the subject. I heard the same charge more gravely stated afterwards by persons of high consideration; and in consequence, I went to the earl of Harrington, the colonel of the life-guards, but not finding him in town, I begged his son to communicate to his lordship the general facts of the case, and the feeling by which I had been actuated; but as the reports increased of an intended inquiry—as I heard of threats and menaces that I should be turned out of the army, I consulted some of my friends, and, amongst others, my honourable colleague, stating, that I was unwilling to take any public step, as I did not wish to influence, by any statement of mine, the opinion of the inquests then sitting—they concurred with me that it would be unadvisable to volunteer any communication, but they agreed in the propriety of my going to the duke of York. I went to the horse-guards on the 27th of August, and found his royal highness was absent, at Brighton, but I saw sir Herbert Taylor, his secretary, and stated to him, "that I should have gone

* The term "popular," applied to the incidents of the day, and was, I am confident, so understood by the magistrate.

to Brighton, but I thought the duke of York might not wish to have attention excited by my arrival there—that I wished to state to his royal highness, I was aware there were many defamatory reports in circulation to my prejudice; that I thought, however, it would not become me to notice them unless they had made some impression on his royal highness's mind; but in case they had done so, and assumed any official shape, that I was willing and eager to meet them." I added, "that I was moreover controlled from giving in any statement, by a desire not to appear in the character of an accuser, when the coroner's inquest was still sitting; and that as I had left two children unsettled in France, unless I received some official communication, I should, within a short time, go back to Paris." The conference ended in the drawing up of a minute, which I shall now read to the House:

"*Horse Guards, 27th August*, 1821.
"Major-general sir Robert Wilson called upon sir Herbert Taylor, and stated, that he understood that there were many calumnious misrepresentations afloat, in regard to the part which he took in the proceedings of the 14th August; but that, as no official communication had been made to him on the subject, and as he learns from sir Herbert Taylor that he had not been instructed by the commander-in-chief to make any to him, he did not feel that he was called upon, or that he could with propriety notice them in any representation to his royal highness, but that he feels at all times prepared to refute them. Under these circumstances, sir Herbert Taylor declined receiving any private communication from sir Robert Wilson, Read to sir Robert Wilson and approved by him.
"(Signed) H. TAYLOR."

I had offered to shew the statement I had drawn out to sir Herbert Taylor in private confidence, and for such use as he might judge expedient, having no wish to conceal any part of the transactions in which I had been concerned, except as far as the publicity might be prejudicial to others. I did not receive any communication: and on the 5th of September I went to Paris; but on the 19th of September I received a note from sir C. Stuart, requesting me to call upon him, as he had a communication to make me from his majesty's government. Before I called on sir C. Stuart, upon the morning of the 20th, I went accidentally into a public coffee-room, and there I saw a paragraph in a French paper, extracted from the English Courier, stating my dismission from the army, in the same terms as I subsequently found were used in the official letter. I proceeded to sir C. Stuart, and he gave me a letter from the commander-in-chief, [illegible] I shall now read to the House:

"*Horse-Guards, September* 15, 1821.
"Sir,—I have it in command from his majesty, to inform you, that he no longer requires your services. I am, sir,
FREDERICK, Commander-in-chief.
"Sir Robert Wilson."

Thus, in two lines and a half did I find myself stripped of my commission—degraded of my rank—plundered of my property—with every professional expectation annihilated! I considered the letter of the commander in chief an official communication, and nothing more as regarded himself, to whom I have always felt, and shall always feel, grateful for many previous acts of kindness: but still, as the letter is signed by his royal highness, I shall not dwell more upon its style and contents. The same day I dispatched the following letter to his royal highness:

Sir;—The letter of your royal highness, dated the 15th of September, was delivered into my hands this morning by his excellency sir Charles Stuart. After the interview I had with sir Herbert Taylor, your royal highness's secretary, on the morning of the 21st of August, in which I stated my personal desire to meet and challenge inquiry into calumnies and misrepresentations notoriously circulated, together with the motives of my forbearance, until officially called upon, from giving in any statement of the conduct I felt it my duty to pursue on the 14th instant, when attending the funeral procession of her late majesty; I could not but be greatly astonished to find the newspaper statements of my dismissal from the service, without any inquiry, or previous communication of alleged charges, thus officially confirmed. But I still appeal with confidence to his majesty's sense of justice, that he will grant my application for the institution of some military court, before which I may have an opportunity to vindicate myself, and prove the falsehood of those accusations, whatever they may be, which have disposed his majesty to remove me from an army in which I

have served twenty-nine years, and in which I purchased every commission, with the exception of the junior one. I await, at Paris, your royal highness's answer, but shall be ready to appear before any court of inquiry, or court-martial, at the earliest notice. I have the honour to be, &c. (Signed) R. T. WILSON.

Paris, September 20, 1821.

On the 24th September, I found myself obliged to write a letter to major Oakes, in consequence of a statement in the papers which completely misrepresented the conversation I had held with that officer, on the 14th of August. It is my intention to read to the House the correspondence which passed between us, but, to avoid confusion in the narrative, I shall suspend the recital until after I have adverted to all the official correspondence which took place between his royal highness, lord Sidmouth, and myself, in pursuance of my object to obtain trial and redress. On the 29th September, I received the duke of York's answer, dated September 25, in which his royal highness stated, that "his majesty does not judge it proper to comply with the wish expressed in it." On October 3rd, I left Paris, and reached London on the 7th, having received major Oakes's answer on the preceding evening at Dover. On the 8th, being still anxious to keep, if possible, the proceeding in the regular military channel, and disconnect it with political considerations—motives that had determined me to remain at Paris until I received his royal highness's first answer, I addressed a second letter to his royal highness, in which I referred to my former letter, "stating defence where there was no charge had been rendered impossible; but that I denied the truth of all the reports in circulation, and that I had proved their falsehood in every case which admitted of contact with them. That there could be no doubt I was amenable, before dismissed, to a court-martial, and that I was still ready, after dismissal, to submit voluntarily to military jurisdiction." This was not without precedent. It had happened in the case of lord George Sackville, who, on the opinion of the twelve judges, was, after dismissal, tried by a court-martial, and there were many other instances of the same kind. On the next day I received a letter from his royal highness, stating "that having communicated his majesty's sentiments upon my former letter, he did not consider himself warranted in taking any further steps." Thus did I find myself permanently dismissed from the service without inquiry, my income confiscated, my property plundered, and my name and character exposed to every obloquy which malice might invent, and slanderous tongues circulate—still, I did not despair—I hoped still that I should obtain justice from his majesty, and with that view, I made an application to lord-viscount Sidmouth, stating "that as I heard it had been given in information, I had attended some meetings at Mr. Youde's house, in Hammersmith, previously to the Queen's funeral, and had then and there planned all the obstructions to its course, I requested a copy of the information, that I might prosecute the party, who had so sworn, for perjury." Lord Sidmouth replied, "that he did not conceive he was the proper channel through which this communication should be made." I immediately wrote to sir Richard Birnie, a letter, dated October 20, "in which I requested a copy of an information that had been lodged at Bow-street." Sir Richard Birnie, after one or two interviews, authorised me to publish the minute, in which it is affirmed, "that the magistrates who had assembled at Hammersmith, were unanimously satisfied that sir Robert Wilson had never been in the house of Mr. Youde, and that the information was false." I had, however, ascertained that depositions against me had been lodged at the home-department; and that one in particular stated, "that I had been seen with a pewter-pot in my hand, encouraging the people to pull up the pavement, and offer obstructions to the funeral." I accordingly wrote again to lord Sidmouth for a copy of the deposition, stating, "the motive was to prosecute the party for perjury;" and his lordship, in his letter replied, "that he should not think himself justified in giving the directions for which I had applied." It was to me, however, a very hard case, that such depositions could be lodged, and I could obtain no copy to enable me to prosecute for perjury, the person, who had sworn so falsely, that the means were denied me to vindicate my own character from those aspersions which naturally must have had some influence on the measure of punishment that his majesty's ministers had, in their notions of justice, thought proper to inflict.

Before I make any further comments, I will now read to the House the correspondence which passed between me and major Oakes, which has not been published, and which the House will, I have no doubt, consider to possess an important bearing on the case. It was on the 24th September, that I first wrote to major Oakes, and addressed him the following letter:

"*Paris, Sep. 24th*, 1821.

"SIR; — Having just seen in the Times newspaper of the 20th inst. the statement of a reported conversation that passed between you and myself, on Tuesday the 14th of August, I address myself, with confidence, to you, for the contradiction of that statement; as you will be sensible of its perversion of the fact, and the injurious tendency of its fabrication. You will doubtless have felt, that, so far from any hostile language having been uttered by either party to each other, I presented myself to you with such peaceable spirit, that you informed me you had given no orders to fire — that you regretted the firing had taken place — that you, moreover, kindly received the suggestion made to keep the magistrate (whom I introduced to you at the same time) close by yourself; and that, eventually, according to another suggestion, when you stated, you conceived your further continuance with your detachment was no longer required by your orders; that instead of passing your detachment to the rear (to use my own expressions at the time), by the hearse, through an irritated populace, and a long line of flint stones, you advanced your detachment, and took the first street in the New Road, leading into the town.

"I have already requested a court of inquiry, or court-martial, before which all the transactions of the day, in which I was concerned, may be investigated: — but I could not treat a relation, which engaged so much attention, from the introduction of your name, with that silent forbearance which I have observed towards the other various calumnies to which active currency has been given in some public journals; and as it would appear from them in magisterial inquiries. I have the honour to be, &c.

"R. T. WILSON.

"As your receipt of this letter, and your answer, is of so much consequence, I have passed it through the hands of a friend (General Long), who will charge himself with the conveyance of your reply."

The House will be pleased to keep in its recollection, that there are three principal points in my application to major Oakes. 1st, That the major stated to me, he had given no orders to fire. 2nd, That I presented the magistrate to him. 3rd, That I suggested a movement of the military in their interest, and the general interest, to prevent a renewal of the tumult. Major Oakes replied in a letter, dated the 30th September, which I shall now read to the House, as it is also the first time this letter has been made public:

"*Hyde Park Barracks, 30th Sept.* 1821.

"SIR; — In reply to your communication, recorded yesterday evening, I have to inform you that I cannot consent to to make myself the organ of contradiction to the various reports in circulation, respecting the affair in which we have been represented as mutually concerned. Were I to yield this point in one instance, I should feel myself bound to notice every succeeding rumour; or my silence would be a sanction to the inferences which might be drawn from it.—I have no hesitation in saying, that the statement to which you have particularly alluded, did not originate with me; and I have not a suspicion who can be the author of it. Beyond this, I must decline a compliance with your request: but, as in the hurried and tumultuous scene, to which you refer, some misconception may be supposed to arise; I think it right to admit, on the one hand, and declare my ignorance, on the other, of the different points you enumerate. It is distinctly in my memory, that you asked me upon that occasion, if I had given orders to fire, and my answer was that I had not: also, that I retired by a blank movement, I believe down King-street; which, though pointed out by you, would naturally have occurred to myself, as the most eligible; but, as to any expression of regret that the firing had taken place— any exchange of courtesy between us— on being introduced by you to the magistrate, until the very moment I received his orders to withdraw, when you announced me to him, by saying, "Here is the officer," I have not the least recollection.—From the commencement of this business, I have most scrupulously avoided making a matter, so closely connected

with a public question, the subject of private communication; and, though consistently with this principle, I have found myself at liberty thus to notice the points you have particularized in the letter to which I am now replying, you will perceive how impossible it is that I should further depart from my first resolution.

"I have the honour to be, &c.

"RICHARD OAKES."

Thus major Oakes admitted that he had not given the soldiery any orders to fire: that I had presented the magistrate to him: and also, that the movement which he terms the flank movement, was suggested by me: though it was so eligible, that it would have naturally occurred to himself. What motive, then, could I have had, but the restoration of the law's authority, blended with due consideration to every corresponding interest? Still, sir, there was another proof wanting to establish my pretensions, and that proof I immediately sought by addressing myself to Mr. White, the magistrate. I therefore, sent the following letter to Mr. White, the Police magistrate.

"Sir;—Understanding that you were the magistrate to whom I had the satisfaction to address myself on the 14th of August, and who permitted me to present him to the commanding-officer of the detachment of life-guards, towards the conclusion of the tumult at Cumberland-street, I apply to you, under the circumstances in which I am placed by a proceeding of his majesty's government, for an answer to the following questions, to which I hope you will not find it inconsistent with your duty to reply. 'In the intercourse which we had on the 14th of August, did I, or did I not, express to you an earnest desire for the restoration of tranquillity, and the authority of the law? Did you, or did you not, observe my conduct to be in unison with that declaration? I think it right to add, that my wish is, to have the power of referring to, or producing your answer in parliament, or wheresoever else I may judge such reference or production to be essential for the interests of justice.' I have the honour to be, &c. R. T. WILSON.

"*Howick, Nov. 16th*, 1821.

I quit this place on Tuesday, and shall be at Lambton Hall, Durham, till the 1st of December."

Mr. White replied,

"Sir;—Your letter of the 16th instant was delivered to me to-day; and though I am not aware of any thing inconsistent with my duty as a magistrate in replying to your questions, relative to your conduct on the 14th of August; yet, as you have candidly stated that you would wish to refer to my answer in some proposed proceedings in parliament, as well as to produce it elsewhere, if you should think it necessary; and having a great disinclination to be brought into notice at all upon such a subject, if it can be avoided, I must take the liberty of declining to give any answers to the questions proposed. I have the honour to be, &c. W. A. A. WHITE. Police Office, Queen Square, Westminster, Nov. 19th, 1821."

I felt it to be my duty to answer Mr. White, and which answer I shall now read:

"*Lambton Hall, Nov. 23rd*, 1821.

"Sir;—I have received your letter. I lament you should have refrained from giving an answer to the questions I proposed, not merely in behalf of my own individual interests, but of those of truth and justice. I think it, however, right to acquaint you, that I shall be obliged to advert to the conversation which passed between us on the 14th of August: nor will it be possible for me to avoid noticing the application which I have subsequently made, with your reply thereto. I have the honour to be, &c. R. T. WILSON."

But sir, notwithstanding the reluctance of Mr. White to give his testimony, I again challenge it, and ask, that Mr. White may be placed at the bar of this House. I know nothing of him individually; I have heard he is a man of truth and of honour, of strict principles, and of strong religious feelings. I call upon him, then, with confidence, to affirm that which he cannot deny, if he respects truth and justice, that my acts were in unison with my language, and that I enabled him to restore and maintain the peace.

Such, sir, is the true relation of facts—such is the narrative that I am prepared to establish at the bar of this House, or before any tribunal whatsoever. What, then, has been my offence? Was it that of paying a tribute of respect to the memory of a deceased and unhappy queen—a tribute due not only to her, but also to my own constituents, who had expressed such a deep interest in her cause—a duty that I owed, moreover, to my own consistency, and which was in unison with every feeling of my nature. Had I

refrained from discharging this duty, from the fear of incurring any displeasure from any quarter whatsoever, I must have been —not what I am—but the basest and most worthless of men. Let the House recollect, that even his majesty's ministers themselves had thought proper to change their conduct towards that illustrious deceased, whom they had endeavoured to load with all possible obloquy while living. —They who had refused her any marks of distinction in her life-time, thought it right to order a guard of honour to grace her obsequies!

But, sir, if I have not been dismissed the army for being an attendant at this funeral, "for being there at all," let me ask, was it for the offence of having interposed to prevent the effusion of blood, and that blood the blood of our fellow-citizens? To prevent intemperate proceedings fatal to the military as well as the people, not only in their immediate but ulterior consequences? I have shown, by my correspondence, that my object was, the restoration of the law's authority, and it is further proved, by the fact, that after my interposition, the procession moved on in the course which was prescribed by the civil and military authorities. When it again deviated, I was far removed, and knew nothing of the obstacles until the line of funeral coaches had passed by them.

With regard to any language I might have used to the soldiers, I beg the House to recollect the circumstances which were occurring at the time, nor did the language apply to any of the preceding incidents of the day. It was directed and confined to the object of calming angry feelings and checking acts of violence which, if justifiable at the commencement, as acts of self-defence, though not sanctioned at any moment by the civil or military authorities, were no longer to be permitted or tolerated.—Why, sir, I am confident that the very soldiers themselves, who are, I doubt not, as generous as they are brave, would on reflection be the first to thank me for an interference which had saved them so much affliction as well as misfortune—at all events, I have the satisfaction to know that my words made no widows or orphans, but that they probably averted that calamity from many of the assembled multitude.—With regard to that language, I shall also say, that it was impossible for me intentionally to insult a corps commanded by a noble earl, whose friendship I have thought myself truly honoured by possessing; or of which the lieutenant-colonel (Cavendish) was an hon. member of this House, nearly allied to another hon. member (Mr. Lambton) who has long had claims on my most affectionate regard, and whose conduct on this occasion has entitled him to my most devoted gratitude. I appeal, moreover, to every soldier who has ever been under my command, if I have ever shown myself a soldier's enemy. If I have not, on all occasions, been not only anxious to provide for his comforts, but to respect his feelings. I appeal, also, to every official military member of this House, if on all occasions where military transactions came under conference or discussion, I have not at all times, whilst discharging my public duty, endeavoured to blend with that duty, considerations which evinced my attachment to professional ties.

The law regards all men as accomplices, who do not prevent the commission of offences, and yet his majesty's ministers would have had me sit idly and ignominiously on my horse, whilst such a scene was going on as that which has been described. Is there such a distinction between civil and military duties? Is there such a collision between civil and military obligations, that a service rendered the community in behalf of the law, should be punished by the military authorities, if the individual rendering that service, should happen to be a registered member of the military community? Will this House sanction such a doctrine? Will it declare, that above 20,000 officers shall be thus exempted from discharging their duties as citizens? —I call upon the House to afford the refuge and protection I require—I call upon the House to oppose its ægis against an abuse of power so unjust to an individual, so pregnant with fatal consequences to the liberties and best interests of the country. Let the House prove its attachment to the Crown, not by any servile dereliction of its trust, but by showing that it will hold the balance between the Crown and the people—by showing, that whilst it will support just authority, it will not make itself the instrument of oppression. Let it show its attachment to the king, by being jealous of the royal character, and affixing censure on censurable acts done in the king's name.—I call upon the House, also, to recollect that the pre-

sumed want of sympathy between this House and the people, its presumed indifference to their safety and welfare, has been one of the chief causes why the empire is now ringing with the cry of reform.

I confess I felt a pride in wearing the British uniform, not only because it was worn by brave men, but because it was recognized throughout Europe as being worn by men who were the protectors of the laws, and who were themselves protected by them. But if the officers of the British army are to be subjected to the action of this irresponsible prerogative, there is an end to their distinctive glory. Sir, I do not know how far my character may be affected by the decision of the House; but I have an approving conscience, which assures me I discharged my duty faithfully to the king and the country, on the 14th of August; and that I am entitled to the protection and redress that I now solicit from this House. I therefore move, "That copies of the correspondence between his royal highness the commander-in-chief, lord viscount Sidmouth, and sir Robert Wilson on the subject of his removal from the army, be laid before this House."

Lord *Palmerston* said, that the hon. member had himself stated, that his observations were not grounded on the comparatively narrow basis of personal injury, but on broader and more enlarged principles; and that the interests of a large class and the liberty and safety of all Englishmen were involved. Now, he was prepared to resist the motion, by appealing to the very same principles, and to call on the House to resist it as calculated to affect one of the main pillars which upheld the balance of the constitution, and on which the lives and safety of every Englishman depended. If there were any prerogative of the Crown undisputable and undisputed, it had been always held, and was now held to be that of the right of dismissing any officer without trial, without assigning reasons, and without reference to whether his commission had been purchased or not purchased. It rested on the most ancient and uninterrupted usage. Instances innumerable were to be found, not only in late times, but in those times which gentlemen on the other side, were accustomed to call the best of times. But he appealed to facts which were admitted in both Houses of Parliament in 1734, when bills had been introduced whose object had been to restrain this prerogative. In the public debates it had been most broadly and unequivocally admitted, by both those who supported and those who resisted the bills, that the prerogative had always existed, and continued to exist. No law was passed to restrain it. By usage and parliamentary admission, therefore, it had been avowed as existing. No prerogative, he would venture to say, was more essentially necessary, not only for the Crown, but for the benefit and interest of the people, for whose sake all the prerogatives of the Crown existed. Without the possession of such a prerogative on the part of the Crown, it would be impossible to preserve the discipline of the army; whether with reference to its internal subordination, or to the intercourse of the military with the civil population of the country. In both those points of view, the prerogative in question was indispensable to the good conduct and discipline of the army. If that prerogative were relinquished—if an officer could not be divested of his commission but by the decision of members of his own body, a fourth estate would be created in the realm, most prejudicial to the constitution. This prerogative, therefore, was necessary, not only for the maintenance of discipline in the army, but also for the maintenance of the integrity of the constitution. Let parliament once make the army independent of the Crown, and it would not be long ere the army would make itself independent of parliament. In support of this truth, he would appeal to the annals of our history, in which the fact would be found, written in characters of blood. No sooner had it been declared by parliament, that the army could not be dissolved by the Crown—no sooner had the army thus been pronounced independent of the Crown, than it brought the monarch to the scaffold, and turned the parliament out of doors. The same cause would no doubt produce the same effect in the present day; and he could not believe therefore that that House, and especially that any hon. members who professed themselves to be distinctively the champions of constitutional principles, would be found to sustain a proposition, wholly subversive of the constitution; tending as it did, to destroy an undoubted and necessary prerogative of the Crown, of which the Crown could not be divested without the destruction of the balance of the constitu-

tion. While, however, he firmly maintained this point, he freely admitted, that the prerogative under discussion, as well as all the other prerogatives of the Crown, must be exercised by the counsel of responsible advisers—of men who were bound to abide by the advice which they gave. But of all the royal prerogatives, this was unquestionably the one which a well-informed and well-intentioned House of Commons would be the least inclined unnecessarily to meddle with; for he was sure the House would see, that the gradation between a frequent interference with the exercise of that prerogative, and taking the prerogative entirely into their own hands, was so easy, that if they indulged in the former they would soon virtually do what, substantially, they would never be disposed to agree to. Before the House could be induced to enter into any investigation of the exercise of the prerogative connected with the command of the army, there must be a strong presumption of abuse in that exercise. He was prepared to say, that in the present instance not only was there no presumption of an abusive exercise of the prerogative, but, on the contrary, the hon. member had, in his own statement, furnished the House with a presumption which led to the directly contrary conclusion. The hon. member clearly wished to insinuate, that he had been divested of his commission on account of his political conduct in the House of Commons—that such had been his hostility to government, and such the apprehension with which they regarded him, that they wished to punish him for his parliamentary conduct, if they could not deliver themselves from so formidable an opponent [loud cries of hear, hear, hear!].

Undoubtedly, he could perfectly understand the spirit of those liberal and enlightened politicians, who could so deal with their political opponents as to suppose them capable of the mean and disgraceful conduct of getting rid of a political opponent, by an act of official hostility, [hear, hear!]. But really he thought the hon. member estimated his powers of hostility to his majesty's ministers at too high a rate, when he conceived that those powers had drawn down upon him such an exhibition of resentment. Against this invidious supposition on the part of the hon. gentleman, he would confidently appeal to the experience of the House and of the country, whether the conduct of his majesty's government in matters of that sort had been influenced by such a pitiful principle? Was the hon. gentleman the only member of the army who had evinced a systematic opposition in that House to the measures of his majesty's government? Were there no other military members, either at present or formerly, on the other side of the House, who had constantly manifested the most decided hostility to his majesty's government? If the opposition of the hon. gentleman in parliament were really the chief cause of his removal, at least that principal of conduct had not been seen in the case of a gallant general opposite, the representative, he rather believed, of some Scotch Boroughs. It had not been seen in the continuance of the hon. gentleman himself in the army so long as he had been continued. Had his majesty's government been influenced by any such mean and miserable feelings of resentment towards the hon. gentleman as that which he ascribed to them they needed not have waited until the 14th of August. 1821, for ample opportunities of gratifying that disposition. The fact, however, was, that the ranks at which he was then looking abounded with officers of the army, voting independently on all great questions; and he boldly put it to the recollection and fairness of every gentleman in the House, if there had been any thing in the conduct of his majesty's government which justified the imputation cast upon them by the hon. member of having dismissed him from the army in consequence of his parliamentary opinions? He dared any man to the proof of the justice of such a charge.—He had already shown that there was no presumptive evidence that the prerogative in this instance had been abused. But he would go further, and he would venture to say, without entering into all the details of the hon. gentleman's speech, that that speech itself afforded a strong presumption, that the prerogative had been justifiably exercised in the present instance. First, he would say, that when a person held a commission in the service of the king, when he received the king's pay, when he was decorated with orders and titles, which as a British officer, he could not have worn without the gracious permission of his Sovereign, and when he nevertheless continued with a number of persons engaged in illegal proceedings, and opposing the legitimate orders of the king, his master,

he was guilty of a direct and gross insult to the Sovereign whom he served. This was a prominent feature in the hon. gentleman's own statement, which independently of any other consideration, justified the step which had been taken with respect to him. The hon. gentleman had stated, that when he came up to Cumberland-gate he saw the life-guards broken and in disorder—that they appeared, to an eye experienced in military matters, as if they had been checked and repulsed. The hon. gentleman found them venturing their lives in an attack on a furious populace: he found these brave men, who had so gallantly fought for their country, in a situation of considerable jeopardy. What did the hon. gentleman do on the occasion? He must have been aware of what was the duty of an officer under such circumstances. If he was not aware of that duty, he was unworthy of the commission which he bore. Was it possible, however, that the hon. gentleman could have acted in a manner more calculated to promote military insubordination than—officer as he was—holding a commission but not having any authority on that occasion—by addressing either the soldiers or the officers who were employed at the time, and who were responsible for the manner in which they performed their duties? It was an act of great military insubordination to address troops under such circumstances at all: but the language in which, by the hon. gentleman's own admission, he addressed them, highly aggravated the character of his military offence. The hon. gentleman admitted that he told the soldiers they had disgraced themselves [cries of no, no!]. He had taken the hon. gentleman's words down and that was their import.

Sir *R. Wilson*—What I said was, "It is disgraceful to continue firing in this manner."

Lord *Palmerston* observed, that it was immaterial whether the precise words used by the hon. gentleman were, that the men "had disgraced themselves," or that "it was disgraceful to continue firing." The meaning was the same in both cases. What judge was the hon. gentleman whether the men had disgraced themselves or not? The hon. gentleman had admitted that he did not know at the time whether they were acting under orders [no, no!]. Why, the hon. gentleman said, that he afterwards asked the officers whether they had given orders to fire? If at the time at which he addressed the men he was satisfied whether or not they were acting under orders, would he have subsequently asked the officers if they had given orders to fire? But that was immaterial to the point. The hon, gentleman—a general officer—knew, or ought to have known, that by the rules and discipline of the army, he was guilty of a great breach of those rules and that discipline, by interfering with soldiers while in the discharge of their duty. What he maintained, therefore, was, that the conduct of the hon. gentleman tended to a gross breach of military discipline and subordination; and that there was no presumption that the prerogative was abused in the dismissal of the hon. gentleman from his majesty's service; but, on the contrary, that from the hon. gentleman's own shewing, there was an abundant presumption that the prerogative had not been abused. Under all these circumstances, he did not think the House would be induced to coincide with the hon. gentleman, or to comply with his motion.

Mr. *Lambton* confessed, that he had entered the House with feelings of indignation at the treatment his hon. and gallant friend had received. He would not drop the title of "gallant," although gentlemen on the other side had dropped it. He still remembered that his gallant friend had been an officer twenty years, and that he had fought and bled in the service of his country. [Cheers.] The feelings with which he had entered the House were not molified by the tone which the noble lord had taken on the other side; by the sneering style which that noble lord had adopted, not only to the gallant gentleman below him, but also to another hon. and gallant member on his right hand (sir R. Fergusson), whose military services perhaps, if well appreciated, might bear comparison with the civil exertions of the noble lord himself; and of whose title even to sit in the House the noble lord was so ignorant as to say, that he sat, "he rather believed, for some Scotch boroughs." The tone which had been used towards both these honourable members, reflected very little credit upon the feeling of the noble lord, or upon the manner in which ministers were disposed to treat appeals for justice. The House had been told of the antiquity and prerogative in question. He denied the fact. Was it necessary for him to remind the noble lord, that in ancient times no such

prerogative had been known? Could the noble lord be acquainted with the history of his country, and not recollect that, so late as Charles 2nd, the power of the Crown to dismiss militia officers had been given by two specific acts of parliament—the 13th and 14th of that king? The noble lord talked of the impossibility of preserving discipline in the army without the use of the prerogative in question. He (Mr. L.) did not know what kind of discipline was meant. If by discipline was to be understood prevention of military offences, then a court-martial was the correct and the recognised tribunal; but let it not be allowed that the Crown should assume power to dismiss an officer, without even naming the offence of which he was guilty. To use (with permission) a favourite expression of the noble secretary for foreign affairs, this was the most "distinguishing feature" of the gallant member's case. He had been dismissed from the service, and no one dared to assign a cause. But the cause, if not stated, was sufficiently understood; the offence committed was not a military offence—it was the offence of having been present at the queen's funeral at all. Let the House consider the situation in which sir R. Wilson stood, and they would see that he had acted upon the best feelings of the human heart. To pay the last respects to a queen whom he had served, was consistent with the honour and the gratitude of a gentleman. The noble lord opposite had spoken of the necessity of a religious adherence to prerogative. Did the noble lord forget that the Crown had parted with the prerogative—the important prerogative, of removing the judges from their offices? And no one had discovered that the dispensation of justice was impeded by that act. Nay the act had been one of a most popular character. The noble lord had said, in his observations upon discipline, that the power which the army once assumed was written in letters of blood; and that it had been the means of bringing a monarch to the scaffold. It was that monarch's too frequent exertion of prerogative—of that prerogative, one branch of which the noble lord would fain uphold—that had brought him to the scaffold. It was not the power assumed by the army, but the unconstitutional stretch of power by the Crown, which had led to the lamentable consummation to which the noble lord alluded. He would not detain the House by observations upon the statement which had been made by his gallant friend. Of course, the facts of that statement had been long known to him; and he had known that there was no act of his gallant friend's on the day in question which had not been consistent with his duty, both as an officer and a man. But the noble lord opposite had charged the gallant member with having continued with persons engaged in an illegal proceeding. What did the noble lord mean? If the noble lord meant only that the gallant member had continued with the soldiers, then he agreed with him; for, if he meant to say that the soldiers were acting illegally, he was right [Hear hear]; but if he meant to insinuate that the gallant member had continued with the multitude, he insinuated that of which he did not dare to produce evidence, and that which the gallant member's own statement did not admit. The fact was, that sir Robert Wilson had continued with the soldiers, despising danger then, as he had so often despised it before; it was natural he should feel something irritated when he found a ball passing close to his face, and that when he looked back and saw the soldiers loading a second time, he should tell them that it was disgraceful to continue firing after the disturbance was over; but that he had ever gone farther than the making such an appeal, or that he had in any way assumed the functions of a military commander, was disproved by all the evidence of what passed on the occasion. The noble lord said, that it was an act of insubordination in the gallant member to interfere in any way with troops under the command of another officer. True; if, on the occasion in question, he had in any way been engaged in military service. But he was not there as a military man at all. He was on half-pay, and in the situation of a civil individual. He left his station in the procession merely to keep the peace, and actuated by the same motive which might have induced him (Mr. L.) or any other member of the House—the wish to prevent outrage which endangered the king's subjects. Would not the noble lord himself have interfered with a similar motive? It was neither more nor less than an act of humanity; and it was one of the brightest points of his gallant friend's character, that, during the most horrible carnage in his professional career, he had never suffered the feelings of humanity to be deadened in his breast; and there was

evidence from general officers, and from monarchs, to prove that in the midst of unparalleled horror, he had found means to devote time to the aid even of suffering enemies. It was disgraceful to England that such a man should be dismissed for saying a few harsh words to soldiers who were returning from the murder of their fellow citizens. He did say from the "murder;" and he was justified in the expression; for a constitutional tribunal of the country had applied the term of "murder" to the conduct of both officers and soldiers on that day. [Hear, hear.] The whole tendency of the speech of the noble lord opposite was, to repeat the argument which had been used in 1734, when the duke of Bolton and lord Cobham had been dismissed the service, on the motion of lord Carteret. On that occasion a most important Protest was signed by more than thirty peers; and an additional Protest entered on the Journals by the noble lords themselves. The reasoning adopted in both so exactly applied to the case of his gallant friend, that he should read them to the House:—

"Dissentient, 1st. Because we conceive it is the inherent right of this House to address the Crown, to be informed, who are the advisers of any measures that may be prejudicial to his majesty's government, or dangerous to the liberties of the nation—2nd. Because the removal of two officers of such rank and dignity, and of such known fidelity to his majesty's person and government, without any cause assigned, or any known or alleged neglect of their duty, gave the greatest alarm to many of his majesty's most faithful subjects; we therefore thought it for his majesty's service, to give him this occasion to publish to the world, the just grounds of his displeasure, or to detect the calumny of their accusers: and consequently to withdraw his confidence from such pernicious counsellors.—3rd. Because, that as the practice of displacing officers has grown more frequent in proportion to the increase of their numbers in both Houses of Parliament, the world may entertain (however unjustly) an opinion, that the free use of their votes has been the real cause of their disgrace; and the more so, since most of the persons, who have been removed have happened to be members of one or other House of Parliament.—4th. Because applications of this nature to the Crown may hereafter protect many of his majesty's faithful subjects from the secret malicious representations of some minister in future time, who (though unrestrained by any sense of truth, regardless of his Prince's real interest, and animated only by his own passions) may however be checked by the just apprehensions that the applications of parliament may lay open his calumnies, and bring upon himself the disgrace he had prepared for others.

"Dissentient, Because we were not conscious, that any neglect or breach of our duty can be laid to our charge, much less any want of zeal and attachment for his majesty's person and government; we therefore must testify our earnest desire, that this motion had past in the affirmative, that we might have had an opportunity given us of knowing our supposed crimes and accusers; and we hope, of justifying ourselves to his majesty and the world,

(Signed) "BOLTON, COBHAM."

His gallant friend was entitled to say, in the language of those noble lords, that he had a right to know his offence, in order that he might justify himself before his country. He had asked for a copy of the accusations against him. He had asked it from lord Sidmouth; he had asked it from the commander-in-chief; he had asked it in every possible quarter; but in all quarters it had been refused to him. He had offered to meet the charges one by one, and prove himself innocent of them; and no person who had listened to his statement of the present evening, but must be convinced that he could fully have redeemed his pledge. No one who had heard that statement could believe that he had stimulated the people to violence—that he had tried to obstruct the procession—or that he had authorized the attack of the multitude upon the soldiers. What he (Mr. L.) said on this occasion, was said, he protested, independent of any feeling of opposition to ministers. It rose purely out of his friendship for his gallant friend, whom he believed to be innocent. He did entreat the House to attend particularly to what his gallant friend had said: he had declared upon his honour that he had come direct from Paris to the funeral, and that, even without time or opportunity for consultation, he had found himself at Brandenburgh-house. Before he came into the House, he had expressed his conviction that his gallant friend would justify himself; and the statement he had made had fully borne out his expectation.

The noble lord on the other side had failed to produce even a tittle of the evidence against him. With respect to the treatment which his gallant friend had experienced, a greater tissue of persecution had never been contrived; and he was acquainted with the fact which would show to the House that the instigators of that treatment—and he did not mean to charge it upon all his majesty's ministers, for he had heard, however truly, that some of them had been adverse to it—he would show to the House, however, that the instigators of that treatment had gone into lengths which no feeling ought to sanction. Having succeeded, as they thought, in ruining his gallant friend, by depriving him of the commission which he had purchased, and which they were as little justified, according to the principles of equity, in confiscating, without trial, as they would be, if they seized on any man's freehold property without cause, or the award of a court of justice, they thought it necessary, if possible, to distress him farther. And how had they done this? One of sir Robert Wilson's sons had been placed at the military college as the son of an officer. Now he was in possession of a letter announcing to sir Robert, that he must pay a larger salary for the education of that lad, because he could no longer be considered the son of an officer. [Cheers.] The letter was dated October 3rd, 1821; and it called upon sir Robert Wilson to pay 150*l*. per annum, instead of 75*l*., because his son could no longer be held the son of an officer, and he must be transferred to the class of sons of private gentlemen. Was not this done to show sir Robert Wilson that he was under severe punishment? Was it not a part of that system under which gentlemen had been annoyed and attacked, when they differed from government upon political questions? Was it not the system which had dismissed earl Fitzwilliam for his political conduct in Yorkshire, and lord Fife for voting for the repeal of the malt-tax? [Much Cheering.] The whole course proved that there was a system afloat for destroying all independence of feeling in persons any way dependent on the Crown, that was, upon the ministers; and to establish a military despotism in the country. The hon. gentleman concluded an animated address by alluding to the various services in which sir Robert Wilson had been engaged, and particularly to his service in the Lusitanian Legion. Wherever hard duty was to be performed his gallant friend was sure to be found; but when rewards were to be lavished, his name was not forthcoming; he had fought against the enemies of England with his heart and with his soul; and upon the conduct of government towards him, it was for the House to form an opinion.

Mr. *N. Calvert* was of opinion, that the prerogative in question was advantageous to the people, as well as to the Crown, when properly exercised; but allowed that it might be abused in such a manner as to become highly obnoxious. In the present case, he confessed that when he came down to the House it was with a strong impression on his mind unfavourable to the hon. member. Having, however, heard the clear statement made by the hon. member himself, and having heard the speech of the noble lord in reply, he could not do otherwise than vote for the motion, as the hon. member's case seemed to him to prove the truth of the old adage, "When you want to beat a dog it is not difficult to find a stick."

Sir *I. Coffin* adverted to the dismissal of lord G. Sackville, and declared it to be his opinion, that no unprejudiced man, either in that House or out of it, would say, that the royal prerogative had been exercised harshly, or unjustly in the case of the hon. gentleman.

Sir *R. Fergusson* said, he did not know whether he was to be the next victim or not but he would tell the noble lord opposite and his adherents, that in spite of all their power and all their threats, while he sat in that House he would always give an independent vote. After the plain statement made by his gallant friend, it appeared to him impossible for any candid man to deny that his gallant friend had been grossly injured. It was evident that the exercise of the prerogative had been abused. Ministers were responsible for the advice which they gave in the exercise of every prerogative possessed by the Crown. It was so with regard to the highest of those prerogatives, the extension of mercy; and surely it ought to be so with regard to that inferior and more painful prerogative, the infliction of punishment. With respect to the treatment which his gallant friend had endured, it appeared to him to be a miserable, a base assassination of private character for the purposes of political intrigue [hear, hear, hear!] His gallant friend, (gallant he

still would call him, for, though no longer a general in the British service, the remembrance of his deeds could not be obliterated) had made out such a case, that ministers did not dare to grapple with it. It was not the first occasion on which they had endeavoured to shelter themselves under the pretence of exercising the royal prerogative. The moment the express arrived from Manchester communicating the occurrences there, ministers hastened to avail themselves of the prerogative by thanking those to whose conduct the fatal events of that day were mainly attributable. So, in the present instance the king's name and privilege had been equally profaned by using them for the dismissal of his gallant friend, and of a respectable police magistrate, whose only crime was an attempt to save the lives of his majesty's subjects.

Lord *Palmerston* assured the gallant general that he had not the slightest intention to reflect upon his parliamentary conduct. He had merely said, that no officer had ever been dismissed the service for his conduct in parliament, and had instanced the gallant general, who had always (conscientiously and constitutionally, no doubt) voted against his majesty's ministers. He was therefore justified in contending that the reason given on the other side for the dismissal of the hon. mover, was not the true one.

Mr. *Bennet* said, that although his gallant friend was no longer an officer in the British service, he stood high in rank abroad, and was possessed of a character as a soldier of which no minister could deprive him. He should always call him the gallant officer as he had been accustomed to do. He could bear testimony to the accuracy of the statement of his gallant friend, for he had accompanied the funeral procession of her late majesty to do honor to the character of the illustrious deceased, and to mark his hatred of her inveterate persecutors. Up to the arrival of the procession at Cumberland gate he accompanied his gallant friend the whole of the way; and he could declare that with respect to the whole of what passed during that time, the assertions of his gallant friend were perfectly correct. For the sake of the argument, he would admit the king's prerogative; but it should not be forgotten, that the prerogative must be exercised by responsible advisers, and all that was desired was, to know who those advisers were on the present occasion. The noble lord opposite had not met the statement of his gallant friend by one single piece of evidence. He had merely perverted that statement. The present motion ought to be agreed to, upon the principle of the case of lord Chatham in 1809. Lord Chatham was the commander of the Walcheren expedition, and had privately conveyed to the king a paper libelling the conduct of a gallant officer sir Richard Strachan. A resolution was proposed for an address to his majesty, calling for the production of that paper; and so strong was the justice of the case, that although the motion was resisted by all the influence of ministers, the address was carried by a majority of seven: and the paper, when produced, was the means of forcing lord Chatham out of office. If the House did justice, not to his gallant friend, but to truth and its own character, it would accede to the present motion. His gallant friend had distinguished himself by almost a romantic attachment to his profession. It was observed by foreigners, that he had led them on to battle and to victory; that he had earned and been rewarded by honours among themselves, but had been neglected in his own country. His situation was not like that of many unfortunate officers of inferior rank whose loss might be equally flagrant, but not so prominent as that of his gallant friend. He stood before the country with nine and twenty years of service in his favour: and he believed one of his gallant friend's offences was, the having attended the funeral; and on his conscience he believed, that another of his offences was, the having prevented the shedding of human blood. Yes, on his conscience, he believed that his majesty's ministers wished for a military execution in the metropolis on that day, similar to that at Manchester. Of this he was convinced by the conduct which had been displayed towards sir R. Baker; and he believed, from the tone which was observed by those who were called the upper classes, that an opportunity was desired to punish the people for their attachment and love to the queen. What other charge had there been against his hon. friend? His gallant friend had sustained a robbery of his property; and was it to be endured that a minister should stand at the elbow of the king, to blacken the character of a valuable military officer, and advise his dismissal without conviction, nay, without accusation? Let them recollect, for a moment the demand of the commander in

chief himself, when he was arraigned at the bar of that House. He had extracted it in order to shew how different was his request, when he was accused, from the measure of justice he had extended to him whom he had condemned. When the conduct of the duke of York was the subject of discussion in that House on the occasion which led to his retirement from the office of commander in chief, his royal highness had said, in his letter to the House, "I claim of their justice that I shall not be condemned without trial or be deprived of the benefit and protection which is afforded to every British subject, by those sanctions under which alone evidence is received in the ordinary administration of the law." On the same occasion one of his majesty's ministers, the late Mr. Perceval, had said, that "no British subject ought to be punished in his life, limb, or character, without having the charges against him in writing, or having the opportunity of being heard in his defence." His gallant friend had now been punished, not only without having the charges against him in writing, but without having even a hint of what they were. The noble lord had, however, rested his defence solely on the ground that it was not the practice of parliament to interfere with this blessed prerogative. Not a word else of defence had been offered. This was all they knew of a matter as revolting to taste as it was to reason. This was all they knew besides sneers and insinuations; and on such a case, it was said, the fifteen cabinet ministers had given their unanimous voice to deprive his gallant friend of his property—they could not deprive him of his character. Thank God, the people of England did not feel in this matter as his majesty's ministers: they had stepped forward to succour the oppressed. The only ground on which the adherents of ministers defended the dismissal of his gallant friend, was this—"wait till parliament meets; then the cause of his dismissal will be made clear and satisfactory." Parliament had now met, and not a word of explanation had been given. It was the duty, therefore, of the House to step forward and to prevent the ministers from debasing the character of the army, and above all, to defend the rights and property of British subjects.

The Marquis of *Londonderry* said, he could assure the House, that in rising after the hon. gentleman who had just sat down, it was not his intention to enter into any defence of his majesty's government, either against a charge of having planned a massacre of his majesty's subjects on the 14th of August, or of having entered into a conspiracy to deprive the hon. mover of his property. He admitted that every allowance was to be made for the warmth with which the hon. gentleman (Mr. Bennet) had taken up this question. He did not blame his feelings; they were those of private friendship; and, however, much credit might be given to them on this occasion, they ill assorted with the question upon which the House was to decide. That question lay in a very narrow compass; and in offering a few remarks upon it, the House would excuse him if he did not feel the same warmth which had been shown by the hon member. He should feel it his duty to oppose the motion; and, however painful it might be to express his disapprobation of the hon. mover's conduct on the occasion which led to this discussion, it was only a sense of his duty which urged him. He would in the outset admit, that he knew of no other bounds to inquiries by parliament into such subjects as that now before it, but the discretion of parliament itself. But he must contend, that it did not follow, because parliament possessed this power, that they must therefore exercise it on the suggestion of any hon. member, Surely it would not be contended, admitting the principle of inquiry in its fullest extent (and he spoke this with every respect for the hon. mover), that he had any greater claim to have his case considered by parliament than any other individual who might come to their bar through the interposition of any hon. member. Every officer in the army with whose services the Crown might have dispensed without a trial, had just, in principle, the same claim on the interference of parliament as the hon. mover. But the House. without reference, for a moment, to the particular case of the hon. mover, ought to consider what would be the convenience or inconvenience of inquiries of this nature. They would, he contended, be most inconvenient; and the hon. member for Hertford, (Mr. N. Calvert.), must give him leave to say, that the House was not by its duty bound to charge itself with an inquiry on every occasion into the conduct of the executive government towards its servants, and particularly into its conduct towards military officers. He viewed

the conduct of the executive government in a different light. He had, perhaps, been brought up in a prejudice, but he had always imagined, that there was something summary in the power of the Crown, especially in military matters: he had supposed, that this summary power was more necessary even than in the civil branch of the government. He saw now, however, that he had been mistaken, and that every military officer held under a freehold tenure; and that it was an act of robbery to affect him in any way, unless after trial. He saw now, that instead of being peculiarly subordinate, the military officers of the Crown were as independent as the holders of offices in the civil departments, having places not at pleasure, but for life. He certainly should have been disposed to say that the case of other civil officers holding their places at pleasure was more analogous; he certainly should say, if a civil-office-holder were dismissed, that it was a question of confidence, and not of crime; he should say, that this principle was not less essential to the military than to the civil service; and as it was manifest that in the civil department the duty could not go on from hour to hour, and from day to day, if there were not confidence; and if it were necessary to prove a crime before there was an alteration in an office, so he should say, that the army, still more, could not exist without confidence, but must become a prey to disobedience and disorganization. Now, he would read the words of the law, which completely bore him out in his view of the subject. They were, that no officer should be dismissed from the service, "except by the king's order or the sentence of a general court-martial."

Sir *R. Wilson*.—That is not the law, what section of the Mutiny act is it?

The Marquis of *Londonderry*.—It is the 22nd Article of War. It was made law by the Mutiny act. Besides if the hon. gentleman objected to this article of war, why had he not long ago, and before he himself felt the operation of it, brought it under the consideration of parliament? He held in his hand a paper containing the names of no less than 212 officers, who, in the last ten years, had been removed without a trial; and that paper proved, that so far from the doctrine being true, that a court-martial was the only ground for proceeding to the dismissal of an officer, there were instances after instances in which, after acquittal by a court martial, the parties had been dismissed; and this not from any notion that the court-martial had decided improperly, but because there were many cases in which legal guilt could not be proved, but in which, notwithstanding there were circumstances to affect the character of a gentleman, or the harmony of a regiment, or in some way or other the good of the service. Nothing was so common as to aggravate the sentence of a court-martial. Nothing was so common as to dismiss those whom a court-martial had not ordered to be dismissed, leaving or not leaving to the individual the price of his commission—for that was another circumstance on which the Crown might exercise its discretion. To this he might add, that no officer entered the army without the full knowledge that it was in the power of the King to decide, on the advice of his ministers, whether or not it might be for the benefit of the service that he should remain. But he felt that he was stating truisms. He would now quote an authority on the question; and he selected it as that of a man for whose opinions he was satisfied the hon. mover had a very high, and he would not say, an undeserved respect. It was the opinion of lord Erskine, then Mr. Erskine, given on a case of some officers who had been dismissed the service without trial, and was dated Sergeants'-inn, Sept. 8, 1801. "I am bound to add," said Mr. Erskine, after stating the arguments on the case, "that the parties are wholly without remedy. The king is the acting party here. He is at the head of the army, and the grounds of his decision cannot be questioned in any court of law; and whenever his majesty dismisses an officer, whether of the highest or lowest rank, he loses all benefit belonging to his situation, according to the articles of war; and this every soldier must know when he enters the army." This was the opinion of Mr. Erskine. How far it was coincident with that expressed by the hon. member (Mr. Lambton), he would leave himself to judge. He would now give him the opinion of sir Charles Morgan, who, in alluding to the case of a militia officer dismissed without trial, observed, amongst other things, that he had no hesitation in saying, that his majesty was quite competent to remove any officer without producing any grounds for his removal, or of bringing him to any trial. It was sufficient that his majesty did not think fit to retain him any longer in

his service. He should like to know, if, after the authorities he had cited, it would be any longer contended, that an officer's commission was like a freehold and that it could not be taken from him without a trial and conviction? The advisers of the Crown, had, on the present occasion, given that counsel which they conceived it their duty to give; but he hoped he should get credit for the declaration, that it was not the wish of ministers to do any thing which could affect the hon. mover personally. If the step taken had that effect, he should regret it; but as to any feeling of hostility personally to the hon. gentleman he could assure him that it did not exist on the subject, and particularly in a high quarter; and though the warm imagination of the hon. member for Shrewsbury might have led him to look upon ministers as a band of plunderers, ready, on the first opportunity to confiscate the freehold of the hon. mover, he could assure him that no such feeling existed. But the hon. member had mixed up matters on the present motion which it would have been much better if he had not touched. Every thing had been laid at the door of government; and the circumstance about the hon. member's son, of which he felt it almost unnecessary to say he had never heard before, had been brought forward with every possible effect. If the government had been anxious to look for occasions on which to exercise personal hostility—if they could ever have felt any—towards the hon. mover instances were not wanting before the present, of conduct on that hon. gentleman's part, which was marked, to say the least of it, with great indiscretion. But that had been overlooked; and it was not until the conduct which had brought on the present crisis, that they conceived it their duty to advise the sovereign not to detain him any longer in the service. To go into detail upon the transaction out of which this arose, would be inconsistent with the principle with which he had set out; namely that it was not one into which the House was called upon to inquire. It would be then said that he had pleaded, and he might be asked to bring to the bar 150 guards, against which the hon. gentleman might offer to bring 350 of his constituents, or 350 witnesses, good men and true, to state the case as it appeared to them. But into such an inquiry he would not consent to enter. It would be highly improper, in every sense of the term. At the same time, without that inquiry, he thought these grounds fully sufficient for the measures adopted towards the hon. gentleman. Was it prudent, he would ask, to point out one part of the soldiers as popular; thereby insinuating to the people that the others were not so? His noble friend had not charged the hon. gentleman with gross misconduct. He had stated that his conduct was imprudent; and of that it appeared to him there was sufficient proofs. But were the government, in the case of an officer, in whose conduct that impropriety was known, to go upon the Old Bailey principle of examining every minute circumstance? The thing was unnecessary; for sufficient had been done to justify them, in the advice of this removal without trial. It would, however, be a waste of time to dwell upon the details of the case, where every shred of evidence that was adduced would tend to farther inquiry. Enough was admitted on both sides, to satisfy him that an inquiry by parliament would be superfluous. His noble friend had shown that it was indiscreet, at the least, in an officer of rank to have so acted as to draw upon the soldiers the indignation of the people, as it was necessary we should have a standing army for the protection of our liberties. [Loud cheers from the Opposition.] Why, it was only three nights ago that he had heard gentlemen on the opposite side call loudly and anxiously for martial law. [Cheers from the ministerial side.] So little horror did they then seem to have of the standing army, that their only cry was for an increased military force in Ireland. It was all a joke, it was said, to pass any law for the relief of Ireland unless it was to give her more soldiers. Honourable members hated the Insurrection act. They did not think it would do. They would rather confide in the officers of a marching regiment. The hon. baronet (sir F. Burdett) was quite enthusiastic on the subject, and eloquent in his intreaties for military interference. It was the same in the other House of parliament, where a noble baron [Order, order.] Well, then, in another place, a noble lord who had a perfect hydrophobia for military power, was quite astounded that the discretion of the military was not to supersede the law in Ireland. This was the manner in which hon. gentlemen then felt, who could not patiently hear the name of an army at the present moment. To pro-

ceed with the remarks which he was about to offer, he would repeat, that his noble friend had not stated that inquiry or any examination of the transactions of the day in question was necessary to form an opinion upon the conduct of the hon. gentleman. It was of a nature not to be misconceived; and surely nothing could tend more to destroy the regular discipline of the service, than for an officer, not on professional duty, to interfere with soldiers on duty, and upbraid them with conduct which he stated would bring disgrace on them and the whole army. Was it proper conduct in the hon. mover, covered with the insignia of the service, to address the soldiers and brand their conduct with the epithet "disgraceful?" Why, he would ask, had not the hon. gentleman, as he had chosen to be present—and no one would dispute his right to attend to pay any mark of respect he might think proper to the memory of the Queen—why had he not discountenanced such conduct, or why had he clothed in military colours? [Cries of "No, no."] He did not mean to say that the hon. gentleman wore his regimental uniform, but he wore his star on his breast. Every body knew it was sir R. Wilson. Why had he taken upon him to reprimand the king's troops, over whom he had so immediate command, and thereby expose them to the indignation of the populace? Was that conduct which could be called prudent? Or was it not that which called loudly for the visitation which it had afterwards received? What could be more likely to encourage the disgraceful conduct of the people? To encourage those factious spirits who degraded the Queen while living, and could not be satisfied without attempting to promote their views by her death? The plan for obstructing the procession was perfectly systematic: for entrenchments had been cut in the road through which it was to pass; and, under there circumstances, it was, that the hon. member, arrayed in the distinctive marks of his profession had appeared among the crowd, and held a language which was calculated to call down upon the troops the indignation of the populace. The hon. member had said, that he saw no stones thrown at the soldiers. Where then were his eyes? Forty-three of the soldiers who left the barracks in perfect health had been sent to the hospital in the evening, in consequence of the hurts they received. He would admit the right of the hon. gentleman to pay every respect he pleased to the memory of the Qneen; but was it prudent, after the outrageous conduct he had witnessed on the part of the populace, to have followed the procession which they succeeded in forcing through the city? The moment the law was set at defiance, it became his duty to retire; or if he had resolved to remonstrate, he ought to have remonstrated with the populace, and not with the soldiers. Neither could he feel that, according to the sound principles of the constitution, parliament was the place where such summary judgments could be revised. In considering that point, it would be well to look back to the proceedings of 1734, when a motion being made for that purpose, parliament refused to abridge or regulate the power in any way which the Crown had previously exercised. With this precedent before them, it was now too late to say that they ought to erect themselves into a court for the purpose of revising such proceedings, when they had not even the power to administer an oath to the witnesses on whose testimony they must decide. Nothing could have been more unwise, in these dangerous times, than to assist the factious purposes of those who undertook to compel the procession to take its course through the city. If officers of the army, not being on duty at the time, and consequently having nothing to do with the arrangements of the day, were to be permitted to interfere with the soldiers acting under orders, there must be an end to the discipline of the army. Were he a soldier, he could not continue in the service of that state which would not protect him from such interlopers. No one could more regret than himself the necessity of pressing with any severity on the hon. gentleman; but ministers had a duty to perform, and if they omitted to advise his majesty on the occasion, they would have failed in their duty to the Crown, and their regard for the best interests of the people.

Sir *R. Wilson* said, the noble lord was mistaken in having supposed that he had addressed the people, and told them the blues were popular. That was not the case. The fact was, he had met a gentleman, whom he was told was sir R. Baker, and to him he said, that the blues were popular, and it was so far fortunate, as it would be more likely to prevent mischief. At this observation, there was not more than one person present.

The Marquis of *Londonderry* was sorry to have mistaken any part of the transaction. He had understood that this observation was made to the people, or made loudly in their presence.

Mr. *Lambton* said, that the noble marquis had unintentionally, no doubt, misrepresented what had fallen from him. He had not said that an officer had as much right to his commission as if it were his freehold. What he had said was, that it would be as unjust to deprive an officer without trial of his commission, as it would be to deprive a man of his freehold without a cause.

Sir *John Newport* said, that his vote upon the question before the House would have no reference to the motives which actuated his majesty's ministers to advise the Crown as they had upon this occasion. It appeared to him, that the House had but one choice in a case of this nature, which was between the prerogative in question being left in the hands of the Crown without any control—or being liable to appeal to the House of Commons, in order to review the decisions of the Crown in the exercise of it. The latter he thought to be full of extreme dangers; especially as regarded its consequences upon military discipline. In the first place, such a course would tend to bring the officers of the army and that House into dangerous contact. They all knew the consequences of the fatal error, in a former period of our history, of bringing the officers of the army and committees of the House of Commons, into too close a communication. It was, therefore, because he thought a most unadvised act had been committed, which he felt the House was not empowered to go into, that he could not support this motion. For such was the nature of the act, that if the papers were laid on the table, the House must inquire into the subject matter of them. The principle went to render the army independent of the Crown, and dependent upon that House, or rather upon any party it might be able to command in it—a principle which, it was obvious involved many dangers.

Mr. *Hume* said, he was anxious to offer himself to the attention of the House on this question, as he had accompanied his gallant friend on the day to which the motion referred. He had witnessed the whole of his conduct on that occasion, not having been absent from him for ten minutes during the day; and he could testify that the conduct of his hon. and gallant friend was, throughout the whole of the transaction, most correct. The noble marquis had, instead of confining himself to the question before the House, gone into the subject of the Queen's funeral, which, though it might have given rise to these transactions, had nothing to do with the motion upon which they were to decide. The noble marquis had talked of the prerogative. What was it? Blackstone had defined the prerogative of the Crown thus—" Prerogative is a discretionary power of acting for the public good where the positive laws were silent." But the laws were not silent on this case. There were rules and regulations for the army which were supported by law. The army was, it was true, at the discretion of the king, but that discretion did not mean, the whim and caprice of his ministers. There was a regular act to regulate it. Now, the preamble of that act said—" Whereas no man shall be forejudged of life or limb, or punished in any manner without a trial by his peers." This applied to a civilian, and if his hon. and gallant friend was considered in that light, he was not at all amenable to military law; but, being a soldier, he was to be judged after trial, and the act especially laid it down, that no man should be dismissed without a trial. The noble lord had stated, that his hon. and gallant friend had no right to complain of the treatment which he had experienced, since there were at least two hundred cases in which the same exercise of prerogative had been made by the Crown. To such a statement he would take the liberty of replying, that supposing it to be true, the sooner such acts of tyranny were put an end to, the better would it be for the country, and also for the army, which formed a part of it. Indeed, till some check was put upon this despotic practice, which the noble lord had declared to be so usual in the army, the army would not be placed upon that footing of respectability on which it ought to be placed in a country boasting of the privileges of a free constitution. The noble marquis then joined with the noble lord in saying, " all that we have to say against the gallant officer is, that he was guilty of a military offence, in interfering with the soldiery whilst they were in the discharge of their duty." But what was the purpose for which his hon. and gallant friend interfered? Was it not to prevent the effusion of human blood,

and to preserve the lives of his majesty's subjects? The noble marquis then said, that government had dismissed the hon. and gallant officer, not merely on account of his interference with the military, but also because they were anxious to give every protection to the lives and property of the people. Why, it was that very anxiety which had led his hon. and gallant friend to act as he had acted upon the memorable day of her majesty's funeral; and strange to say, such was the monopolizing spirit of humanity which had seized upon his majesty's government, that they publicly dismissed him for having been animated by the same feelings which they themselves professed to entertain. The noble marquis had asked his hon. and gallant friend, whether he had interfered with the people, and had endeavoured to make them desist from their violent conduct. He could answer that question. His hon. and gallant friend had interfered with the people: he had requested them not to throw stones, otherwise it might irritate the soldiers, who were merely acting in obedience to orders. Indeed, he was a little surprised that his hon. and gallant friend had omitted that circumstance in the plain unvarnished statement of facts which he had that evening submitted to the House. Standing, therefore, as the matter did, it was unfair in the noble marquis to upbraid his hon. and gallant friend with having interfered with the military, and with not having interfered with the people. He was prepared with proof, that his hon. and gallant friend had used the language which he had just repeated to the House, though he was not himself present when it was employed. At the time the firing and the cries of murder first commenced, he was riding with sir R. Wilson in the rear of the carriages, "As soon as I heard them" continued Mr. Hume, "I turned round to him, and said, for God's sake, sir Robert, don't let us go there." [Shouts of laughter from both sides of the House, intermingled with cries of "hear."] I see what conclusion I am to draw from those cheers, but I can assure the House that it will not prevent me from stating what occurred, or from doing what I conceive to be my duty. I foresaw the misconstruction which would be put on our conduct, if we approached the place where the firing was going on, and I was going to state it to my gallant friend, when his humanity, which other cowards dared not to practise, hurried him away to see whether he could not put a stop to the firing, and to the cries of murder. —The noble marquis had said, that those who had made themselves so busy on the day of the Queen's funeral were a remnant of a pitiful faction, that was anxious to keep up the spirit which some time before that occurrence had unfortunately agitated the country. Now, he would ask the noble marquis, who and what it was that had given birth to that spirit which he was then so loud in condemning? Was it not the ministers themselves, by an act of oppression, which was unparalleled in the history of the country; which had cast the foulest blot upon parliaments that was to be fonnd in their annals—an act of oppression which was not even terminated by the death of her who fell a victim to it? [Cheers.] He would repeat the expression—the course of insult and oppression which ministers had pursued towards her late majesty was continued even after her death. [Cheers.] In her life they would never bestow upon her those marks of honour and attention which were due to the high rank and station which she occupied in the country; but on her death, as if in solemn mockery of her situation, they insulted her obsequies with the idle and unnecessary parade of a military escort. The last persons to complain of the factious spirit which it was said had agitated the country, were the wretched and heartless drivellers who had raised it. He trusted that the time would come, when they would meet the condign punishment which they merited for the numerous acts of oppression which they had committed towards her late majesty; and he did not doubt but he should see them called to the bar of the House to answer for their conduct towards that illustrious individual, as well as for their various other acts of enormity towards the people, if ever there should be such a thing as a reformed House of Commons. [A laugh.] Gentlemen might smile, but many extraordinary things had recently happened—some of which were not half so likely as the event to which he had alluded. Let that matter, however, be as it might, of one thing at least he was sure—that, either here or hereafter, Heaven would punish them for their oppressive conduct. The whole case of his gallant friend was now before the public, and, being so before it, he would leave the decision on it

to the country. If the House refused to afford protection to an individual under such circumstances as these, it was high time for the country to open its eyes to its situation. Nothing could prove more clearly the necessity of parliamentary reform than such a refusal.

Mr. *Twiss* said, that the hon. members opposite seemed to be all agreed, that the case was one which ought either to have been sent to a court martial, or submitted to that House. It was on this proposition that he desired to say a few words, with a view to show in what way such a suggestion, coming from his side of the House, would have been met by the same hon. members with whom it originated. If his majesty's ministers, instead of meeting the case manfully as they had done, by the exercise of that power which they possessed, had brought forward a proposal that such a matter should be referred to a court martial, it would have been said, and with truth, that they were afraid to advise the exercise of the prerogative. It would have been said, that they wished to take an indirect means of accomplishing their object without suffering the odium of it; and that for this purpose they selected a body so constituted as to be under complete subjection to their will —thus substituting for a responsible an irresponsible power. His majesty's ministers, however not having done this, the thing was now seen in a different light; and the act was arraigned as unconstitutional, and as depriving the individual of the security of martial law. He did not mean to say that military officers might not be competent to meet a question of this nature; but, at the same time, it certainly was one upon which it was almost impossible for military officers, in the employment of the Crown, to be free from bias. It was plain that there must be many objections to entrusting the important power of dismissing officers from the service to a tribunal, which, though not free from ministerial influence, was free from its responsibility. A minister, however, might be responsible, though not accountable. In cases of money, the minister was both responsible for its use, as well as accountable for its application; but he was not accountable for the administration of a prerogative.

Sir *F. Burdett* said, that the noble marquis would not, by granting the papers moved for, give the House an opportunity of going into an inquiry into this extraordinary, this unconstitutional, he must say, this abominable transaction. He therefore felt it his duty to expose the very extraordinary doctrines which the noble lord opposite, and the noble marquis had held. The House would do well to keep in mind the bearing which this question had upon the constitution; and that the doctrines of the noble lord and the noble marquis were most hostile to every principle of that constitution. The noble marquis did well to desist from entering into any statement of particulars on this question: for those particulars were what he did not dare to meet. But, leaving the particular case entirely out of view, he thought the general doctrine such as the House and the country ought not to tolerate. The noble marquis had declared, that the prerogative of the Crown was quite uncontrollable; and had called upon the House to believe this, without having gone into any argument or statement whatever upon which it could be substantiated. As far, however, as the noble marquis had gone, there could be little doubt that those majorities, which were well understood to vote according to the dictum of the noble marquis upon other occasions, would vote for his present assertion, although he had not only not proved it, but tacitly admitted that it could not be proved. The case was one of the most flagrant nature. He would ask the House whether, if the government had an irresponsible power over the army, that power should not have been particularised? A standing army, unless for the purpose of defending the country from enemies abroad, was hostile at all times to the constitution; and a standing army kept up in a time of profound peace was not more wasteful of the public wealth than it was dangerous to liberty. But, even this was nothing compared with the monstrous doctrines which the noble marquis called upon his majority to believe. What! Were British soldiers, whose valour had defended the country, to be shut out from the constitution? He would say, that if this degradation of the army were to be permitted, the avowed purpose was, that, the whole army, being debased and enslaved itself, might be turned to the enslaving of the country. Many officers of the army might be in that House; and there were 20,000 half-pay officers, all of whom had, in effect, returned to the situation of citizens: now, if ministers could, at their pleasure,

deprive them of that rank and those emoluments, which they had purchased in war, they could not hold any one independant political opinion; they could not, if in that House, give one free and unfettered vote. If, then, the doctrine of the noble marquis was to be received as true, every military officer should be turned out of that House; because they could serve no other purpose in it than that of enabling the noble marquis to enslave the country. The noble marquis might think this question unfit for discussion, and had attempted to treat with levity, a case which no man out of that majority upon which the noble marquis depended, could contemplate without horror. It was one in which the soldiers stood accused of shedding blood. They had been let loose upon the people, without the control of any magistrate; and, so let loose, they had committed murder. If officers were thus to be degraded—if they were to be cut off from the constitution—and if those feelings of liberty, which should be common to every man in the country, were to be destroyed in their breasts, he would say again, that that House ought to be cleared of officers. Yes, if they were to be so degraded, and deprived of the very feelings of liberty, then they were the slaves of despotism, unworthy of being even the nominal representatives of a free people; and, as such, they ought to be expelled the House. The noble marquis had quoted the authority of Mr. Erskine, to show that officers of the army have no means of redress at common law; but, that instead of being any reason why they should be denied protection from the House, was the very best reason why that protection should be afforded them. If the common law did not afford them the same redress that it afforded to other men, was that a ground upon which they might be insulted at the caprice of any minister? No. The House was bound to see that they were treated with justice. Whatever the noble lord and the noble marquis might say about irresponsible prerogative, the Crown had no power but what it derived from an act of parliament; and if there existed no act to protect the soldiers from this irresponsible power, then the parliament should lose no time in passing such an act. In so far as regarded the honour and character of his gallant friend, no parliamentary proceeding was necessary; for no man could dare to say, that that gallant soldier had done wrong. In the eyes of every unprejudiced man, he stood clear; and no one would dare to affix the smallest stain to it. He stood high in the face of Europe; and he could appeal with confidence to the public. Still the House had a duty to perform towards him, and towards the public. It had to take care that no dreaded dismissal should influence any other gallant soldier, although it was to be hoped that British officers would always do their duty to their country, as his gallant friend had done, without being influenced by the dread of dismissal. So far from the act for which apparently his gallant friend had been dismissed, being any degradation, it did him the highest honour. For that conduct the country owed him gratitude; and it was such as ought to have won him the applause of the sovereign. Not only was he entitled to the civic crown for having saved the lives of the citizens, but he had rendered the most important services to government. If the people, wounded in their feelings and ill-treated as they had been by the army, had been driven to despair, and had resisted the military, mere physical force might have overpowered the handful of soldiers that were there. What, then, would have been the train of outrages, of mischiefs, and of miseries that would have ensued; and what the disorders to which the country would have been exposed! To every man having the least spark of feeling for that country they would have been dreadful even in the contemplation. If, on the other hand, the military had kept their ground and gone on firing, would not that have been a renewal of that massacre which had before disgraced the noble marquis and his colleagues? The House had to consider that lives had been lost, and they would know how to feel on such a subject. They would bear in mind too that on the day when these transactions took place the gallant officer made no exertion and had no view but to prevent massacre. It had been said, on the other side of the House, that the gallant officer had brought no proof of his statement; but he would tell the noble lord that his gallant friend had no need of descending to individual testimony. The people were his witnesses. "In re non dubia utitur testibus non necessariis." In such a case, his gallant friend wanted not witnesses. The question, however, was of great im-

portance as a public question, and one that involved deeply the rights of the people. For it would be a most outrageous invasion of those rights, if those men—if that army, which had defended the country from foes abroad, should be employed for the destruction of liberty at home—the use to which the noble marquis seemed anxious to degrade them. To prevent this—to rescue men who had braved danger for their country, and who were maintained at its expense for other purposes—from this degradation, something ought to be done. It might be true, as had been admitted by an hon. gentleman opposite, that nothing could be effected in that House, unless the noble marquis chose to recommend it to his majority; and, though this could not altogether be expected, yet it would be right to show the country, that an opportunity had been offered for this purpose. Perhaps the matter might with more propriety have been taken up by his hon. friend near him, because that gentleman had been an eye witness of the proceedings to which the question alluded. If, however, nobody else should take it up, he would himself, when the Mutiny bill came under their notice, propose the addition of a clause, which should rescue British officers from the degrading situation in which, according to the unconstitutional and abominable doctrine attempted to be held, they were at present placed. The noble lord had made a great parade about the discipline of the army, as if that discipline could not be maintained without destroying the character of the army. But he would tell the noble lord, that were this to be the law, it would at once destroy all discipline. Our armies when abroad have always done their duty manfully; and this has been in a great measure owing to the feeling that they had a right to all the privileges of British subjects. If once they were given up to this irresponsible prerogative, they could not fail to be degraded. An attempt had been made to explain away the unconstitutional nature of this extraordinary prerogative of ministers. If he understood rightly what was said in this way, they were accountable in some cases without being responsible, and responsible in other cases without being accountable. To all useful purposes, however, the distinctions were quite nugatory. The greatest despots on the continent had not their armies in this debased and degraded situation; and yet, in other respects our soldiers were different from theirs. Our soldiers went to the army with all those feelings which characterize the inhabitants of a free country; and in the hope that they might again be restored to it; and there was not a doubt that to those feelings and that hope they were indebted for that superior valour which, on all hands, they were allowed to possess. It was in vain to talk of discipline as being necessary to place the soldier beyond the power of the constitution to protect him, and leave him at the mercy of an irresponsible prerogative, to be punished without guilt and without trial. The most despotic government in the world could not do this. The king of Prussia could not dismiss an officer without the sentence of a court-martial; nay, a proceeding so arbitrary and tyrannical durst not have been attempted by Buonaparté, in the acmé of his power. And, shall that be done in this free country which could not be done under the most confirmed despotisms? He, therefore, again expressed a hope, that the subject would be introduced, when the House came to the annual passing of the Mutiny bill. The noble marquis and his coadjutors might oppose it, on the pretence that it was an innovation; but he would tell the noble marquis, that the whole of his political career had been one series of innovations—innovations, inroads, he would call them, upon the constitution. He had begun that career by destroying the liberties of his own country: and, having accomplished that, he had come to this country to play the same abominable game; and in so far he had succeeded. Those infamous acts which he called laws, though they were subversive of all law, had done this to an intolerable extent. Then, when the system of mis-government pursued by him and his colleagues had driven a part of the population of Ireland to desperation, that mis-government was aggravated by the passing of the Insurrection act, or rather, as he should term it, the Curfew act, by which every man, however, honest and loyal might be his intentions, and however urgent his necessity, was liable to be thrown into a dungeon; if found merely on the outside of his own door after a certain hour. Besides, there was that of which an Englishman could never think without horror—that which at once destroyed the whole safety which was afforded by the constitution—the Suspension of the Habeas

Corpus; so that now there was, in fact, no regulation, for all that had been done was destructive of the law, and of every thing constitutional. The noble marquis had said, that this Insurrection act was milder than the proclamation of martial law. But the proclamation of martial law had never been hinted at by those who had resisted the passing of this harsh, and unconstitutional measure. It was military regulation, and not the proclamation of martial law that had been recommended. The state of Ireland certainly did require both wisdom and vigilance. The effects of the system of mis-government with which she had been cursed, were such, that every man's hand was, as it were, turned against the throat of another; and necessity, like an unarmed man, called loudly for some means of preventing the mischief. Now, what prevented them from merely passing some military regulations, which should have left all oppressions perpetrated under them punishable at common law? For it was nonsense to suppose that the harsh measures which the majority of that House had recently passed, would do any thing but exasperate the people. If ever there was a time when large discretionary powers could have been trusted to a lord lieutenant of Ireland, that time was the present; for he knew that the noble marquis (Wellesley) had right feelings towards the sufferings of mankind generally, and towards some of the wrongs of Ireland in particular. He had found a clear proof of this in the sentiments towards the noble marquis expressed by the tenants of an estate which had once been his; and he was sure that the conduct of the marquis Wellesley would endear him to the warm-hearted population of Ireland; for that nobleman had more liberal and extended views with regard to Ireland, than any man who had occupied the same situation in [illegible]. With regard to the question then before the House, if they valued the portion of character which was still left to them—if they had any desire to act consistently with the principle of their ancestors—if they did not wish to make the House of Commons a mere court for registering the arbitrary decrees of a despotic ministry, and the mere machine for extracting money from the pockets of an impoverished people, they would inquire into this case which had every appearance of harshness and injustice about it.

Sir *Robert Wilson* said, he should not abuse the indulgence of the House by any lengthened reply, which, indeed, was rendered the more unnecessary by the kind and affectionate support he had received from his friends. He would not notice the speech of the noble secretary at war, for he felt satisfied, that the tone and the arguments were quite at variance with his private feelings. The noble marquis opposite had accused him of not having done any thing to quiet the people. It was true he had omitted in his statement to notice that fact; but if the noble marquis had been in the House when his hon. friend, the member for Aberdeen, was speaking, he would have heard that member certify, upon statements made to him, which were, that he (sir Robert Wilson), had rebuked the offensive expressions and endeavoured to check all violence on the part of the populace. He had also been accused of wearing a star. He was surprised at such a charge coming from the noble marquis, who must know the usages, it might be said, the duties of a decorous etiquette. But what was the fact? He had on several occasions during the life of the Queen, when in attendance on her majesty, worn the same star, and it being a Prussian star, worn also formerly by her father and brother, her majesty had expressed herself pleased by the attention. It was, therefore, more becoming on his part to wear it, when his object was to pay respect to the memory of the deceased, and when the memorial associated with former recollections. On the same principle of respect, he had only a week before he left Paris, attended the funeral of prince Gallitzin and wore his Russian decorations, in common, with every one present, who had the power to pay the same compliment. He would reduce to two heads the offences committed on the day of the funeral, for which he must now presume he had been made to suffer so severely:—1st. That he had assisted the multitude to extricate a baggage-waggon from a barricade; the obstruction of which was the subject of regret to the commanding-officer of the military escort. 2dly. He had, by a rebuke to several soldiers, terminated acts of violence, which had never been sanctioned by the military or civil authorities, and which, at the time he addressed the soldiers, could be considered but as acts of contiued, and no longer (if ever they had been) legally justifiable irritation. He added, that whatever might be the divi-

sion of the House, he should consider those who had inflicted the punishment, without making him acquainted even with a charge—and who should still deny him all means of redress—as lawless and vindictive oppressors.

Mr. *Brougham* said, he could give the most ample confirmation to that part of the gallant officer's statement which fell under his observation. There were no preparations for any obstruction when he passed the church at Kensington in the morning, where he believed the first obstruction to the procession took place.

Dr. *Lushington* merely rose to confirm, so far as his knowledge went, the statement of his gallant friend. What he could say was, that, after his own coach had passed through Cumberland-gate, he for the first time heard the firing. It naturally attracted his attention, though he had no idea that it was firing with ball. Where he was at that moment, there were certainly no stones thrown: he would not say that none were thrown, but he certainly did not see any. Sir Robert Wilson rode at that time up to his coach, and said that he believed the military were firing; and that he should go up and prevent the consequences. He (Dr. L.) remarked, that such an interference would expose him to danger, and that he had better not. He, however, persevered in saying that he would go. He soon after returned and stated, that he had found the military in disorder, believed that he had prevented further firing, and hoped that no more bloodshed would take place.

Mr. *Ellice* assured the House that he had travelled from Paris in company with the gallant general, and that he had not quitted his company until four or five o'clock on the evening previous to the day of the Queen's funeral; so that it was impossible that what was stated to have taken place at the public house at Hammersmith could be true. He could further state, that the gallant general had, before returning to Paris, consulted him, as to the best mode of proceeding with respect to the rumours which appeared in the public papers, and observed that he should wish to contradict them, were it not that he feared his doing so would be the cause of his being called as a witness before the coroner's jury, to which he had a decided objection, as he did not wish to prejudice the question either way.

Colonel *Cavendish* felt it necessary to say a few words upon what had fallen from the member for Durham. That hon. member had called the regiment with which he was connected "murderers," upon the verdict of the coroner's jury, who had decided upon perjured evidence. Having said thus much, he felt it necessary, from the delicacy of his situation, to leave the question to the decision of the House.

Mr. *Lambton* said, his statement was, that murder had been committed on that day; and he had used the expression on the authority of the verdict of a coroner's inquest. It was a fact that two men were killed on that day, and unless gentlemen could say that the multitude had fired upon each other, he was at a loss to know how they could be shot but through the instrumentality of the military. With this explanation, he begged to stand on his original expression.

Lord *Uxbridge* said, that the hon. gentleman had spoken on the authority of an inquest, the evidence adduced at which ought not to be believed. As a proof of it, he would only say that there were a number of men ready to go up in a body before the coroner, and swear that he (lord Uxbridge) was the man who shot one of the persons who fell, when it was notorious that he was more than 200 miles from the spot at the time.

The House divided: Ayes 97. Noes. 199.

List of the Minority.

Abercromby, J.	Denison, W. J.
Althorp, visct.	Denman, T.
Beaumont, T. W.	Duncannon, visct.
Baring, sir T.	Dundas, C.
Barnett, S. M.	Ebrington, visct.
Benyon, B.	Ellice, E.
Bernal, R.	Farrand, R.
Birch, J.	Fergusson, sir R.
Brougham, H.	Grattan, J.
Browne, D.	Graham, S.
Bright, H.	Guise, sir W.
Burdett, sir F.	Gurney, H.
Bury, visct.	Hamilton, lord A.
Bentinck, lord W.	Heathcote, G. J.
Buxton, T. F.	Heron, sir R.
Boughton, sir. W.	Hill, lord A.
Calvert, C.	Hobhouse, J. C.
Calvert, N.	Honywood, W. P.
Chaloner, R.	Hughes, W. L.
Calcraft, John	Hume, Joseph
Chamberlayn, W.	Hurst, R.
Carter, John	Hutchinson, C.
Clifton, visct.	James, W.
Coke, T.	Johnson, col.
Crespigny, sir W.	Lenox, lord G.
Creevey, T.	Leycester, R.
Davies, T. H.	Lushington, S.

Marryat, J.	Russell, R. G.
Maberly, John	Rice, T. S.
Macdonald, J.	Smith W.
Monck, J. B.	Smith, Samuel
Moore, Peter	Scarlett, J.
Normanby, visct.	Scudamore, R.
Nugent, lord	Sefton, earl
O'Callaghan, J.	Stanley, lord
Ossulston, lord	Stewart, W.
Palmer, col.	Stuart, lord J.
Palmer, C. F.	Sykes, D.
Pares, Thos.	Tennyson, C.
Phillips, G. R.	Tierney, G.
Powlett, hon. W.	Webb, colonel.
Price, Robt.	Whitbread, S.
Plummer, John	Williams. W.
Rickford, W.	Wilson, sir R.
Ramsden, J. C.	Wood, M.
Ricardo, D.	Wyvill, M.
Roberts, A.	TELLERS.
Roberts, Geo.	Bennet, hon. H. G.
Robinson, sir G.	Lambton, J. G.
Rowley, sir W.	PAIRED OFF.
Rumbold, C.	Lemon, sir W.
Russell, lord J.	

HOUSE OF COMMONS.

Friday, February 15.

AGRICULTURAL DISTRESS.] Lord *Nugent* said, he had a petition to present, to which he begged leave particularly to call the attention of the House. It was signed by 430 owners and occupiers of land, in the vale of Aylesbury, at a meeting convened by farmers alone, and by whom all the resolutions were drawn up, to only two of which any opposition was manifested; and what were these two resolutions? Why those which called for a reduction of taxes and for the establishment of a more equal representation of the people in that House. This opposition was, however, made only by three persons. Indeed, reduction of taxes and parliamentary reform formed at present the general cry of the country. The public had heard much about the boasted "indemnity for the past and security for the future;" but, in what instance had indemnity been obtained? What, indeed, but a series of losses and calamities; and what was to be contemplated for the future but gloom and despair? Such was the reduced condition of the country under the operation of a system, the principal authors and advocates of which at present wielded the powers of the government! Of this state of things his constituents very naturally complained. They apprehended, justly, that such a crisis could not possibly continue. Perhaps in the course of that night the question would be decided, whether that crisis should still go on, with all its gigantic and accumulating evils, or whether there was any probability of its termination? His constituents had, as became them, expressed their objection to any plan of protecting duties; because the adoption of such a plan, with all its other inconveniences, would serve to oppress the other classes of their fellow-countrymen, who were already suffering quite enough of oppression. As to the resumption of cash payments, his constituents approved of that measure; but yet they would have it accompanied with other arrangements which they felt to be necessary to avert the inconveniences which the sudden adoption of that desirable measure had served to create. Among the other arrangements to which he referred, his constituents desired the abolition of unnecessary sinecures and unmerited pensions, with a reduction of the expense which some pronounced necessary to maintain what they called the honour or splendour of the Court; but which, instead of conferring any honour, was rather productive of dishonour and degradation to the Court, levied as that expense was upon a people reduced to such an extremity of distress. This petition proceeded from a body of men, who, while they called for reform, had nothing whatever of those wild or visionary theories about them, the adoption of which would tend to the overthrow of the constitution. Their object was, to procure the establishment of a more equal representation of the people in that House; attributing, as they did most justly, the greater part of the evils which the country now suffered to the want of such a system of representation.

Sir *Isaac Coffin* said, that as so much stress had been laid on the necessity of a reform in parliament, he would give his opinion on the subject. "I think," said the hon. and gallant member, "that the best qualification consists in the possession of talents and property. Now the sooner the House is weeded of those who, like myself, have neither one nor the other, the better," [a laugh].

Mr. *Gooch* presented a petition from the occupiers of land in Suffolk, of whom he was glad to say, that they did not mix up their case with politics. They had too much sense to assist in raising any cry for reform, which, if it were carried to-morrow would not put a shilling in the pockets of the agriculturists.

Mr. *Bennet* begged the last speaker to consider, that if reform would not immediately operate to put a shilling in the pocket of the agriculturist, it would save him from having a shilling taken out of it.

Sir *F. Burdett* said, he rose to present a petition, which had been unanimously agreed to at one of the most numerous and respectable meetings of the electors of Westminster he had ever witnessed. He had great satisfaction in presenting it, because he concurred in all its sentiments, with a very trifling exception; and because it stated, in a very clear and able manner, the real cause of the grievances under which the country laboured. It did not merely complain of the pressure of taxation, but it complained of those gross violations of law, and of those monstrous infringements of the constitution, which the country had of late years witnessed. The part of the petition in which he did not entirely concur, was a clause at the end of it, which ascribed the distresses of the agricultural interest to the operation of what was commonly called Mr. Peel's bill. He did not mean to enter at present into the discussion of this subject, but he wished to state shortly, the reason why he could not concur in that opinion. He had examined all the papers laid before the House, from the year 1800 up to the year 1821, and he there saw that the price of agricultural produce by no means bore such a relative proportion to the price of bullion, as to make it possible for him to conclude that one was the cause, and the other the effect. On the contrary, he observed this very remarkable fact, that the period at which the depreciation of the currency was so slight, as scarcely to affect the large concerns of a great country—not for instance more than 7 or 8 per cent—was the time at which the value of agricultural produce was highest; and again, that at the time of the greatest depreciation of the currency, the value of agricultural produce was extremely low. In point of fact, it did not appear that there was any immediate or necessary connexion between the two circumstances of the depreciation of the currency, and the price of agricultural produce. It appeared to him, that to attribute any effects to Mr. Peel's bill, except such as might hereafter be extremely beneficial to the country, was the greatest of all possible mistakes. It appeared, from the documents on the table, that for nearly three years previous to Mr. Peel's bill, paper was at a par with gold. All that that bill had done, therefore, was, to prevent us from again returning to a depreciated currency; and he did not see how it was possible that any but the most beneficial effects could result from that measure.

Mr. *Hobhouse* said, he had been desired by his constituents, to support the prayer of this petition. In so doing he begged to state, that in unison with his hon. colleague, he concurred entirely in all the sentiments of the petitioners. He believed there had never been laid on the table of that House, a petition more replete with wholesome truths than that which had just been presented. The petitioners first stated, that the prayers of the people had been constantly disregarded. This was a point which he apprehended would not be denied, even by those who had uniformly opposed themselves to what they were pleased to call popular clamour. The petitioners next adverted to the defective state of the representation, and the corrupt demoralising system of rotten boroughs; a system which was contemplated with so much satisfaction by those who were interested in maintaining it. The petitioners were blind enough not to coincide in those views, nor could they perceive that that system could contribute to the happiness of the nation. To the corruption of parliament they attributed the loss of America, and all the calamities which had afflicted us both abroad and at home. To the same cause they ascribed the restrictions on our liberties, and that pressure of unparalleled taxation, which had at length reduced us to the lowest stage of misery and degradation. Among the grievances which pressed upon the country the petitioners were unwise enough to place that which had been held up the other night as the bulwark of English liberty—he meant a standing army. The petitioners had the misfortune to differ in this respect from the noble lord opposite, but they differed in common with the best, and bravest, and wisest men of all ages and countries—they had all history for them, but they had the misfortune to have the capacity of the noble lord against them. The next point to which the petitioners adverted was the unparalleled amount of taxation. They mentioned a fact which was hardly credible, but unfortunately too true, that the amount of the taxes was no less than the enormous sum of 1,000,000*l.* for every six working days;

or upwards of 160,000*l.* for every working day. Of this taxation the petitioners complained as an intolerable burthen. One of the best definitions of revenue which he had ever seen was to be found in Montesquieu. That writer defined it to be, the portion of private property which every individual gives up for the security of the remainder, and for the enjoyment of that remainder in comfort and repose. If the revenue of England were put to this test, he would ask hon. gentlemen whether it answered the conditions of securing, or enabling them to enjoy, what the government did not take from them; whether they did not feel, on the contrary, that what they gave was transferred to the pockets of the ministerial phalanx, and went only to provide a fund into which the whole of their property must at last inevitably come? The petitioners next adverted to the unfortunate transaction at Manchester, of which he still hoped that the time would come when an investigation would take place in that House. He begged to remind the House, that the massacre of Glencoe [here the hon. gentleman was interrupted by a simultaneous fit of coughing]; he repeated,* that the massacre of Glencoe was not inquired into until six years after it took place. Another point to which the petitioners referred, was the transaction which had occupied the attention of the House the other night, and on which he should have an opportunity of saying something on a future occasion. He was happy that he had not commented on what had fallen from two hon. members in the course of that discussion, because as they seemed to be carried away by their feelings, it was possible that he too might have been carried away by his. The hon. member concluded by reminding the noble lord opposite, that this petition came not from his enemies, or from men who had any interest in disorder, but from the people, whose interests and happiness were identified with the welfare and security of the state.

Mr. *Price* presented a petition from Ross, in the country of Hereford, complaining of agricultural distress. The hon. member took that opportunity of observing, that he was firmly convinced that the time was arrived when the general distress of the landed interest was to be met, not by minor arrangements, but by a most severe and rigid inquiry into every department of the state, with the view to an efficient diminution of the public burthens. That formed a part of the prayer of the petitioners, In that prayer he fully concurred. But he was not prepared to go with them, for the present, in looking for relief, to a reduction of the interest of the public debt. Every practicable retrenchment must be made, to sustain the country under the severe pressure which the now deprecated system of continental alliances and foreign subsidies had entailed upon it. The last prayer of the petitioners was in favour of parliamentary reform. On that subject, although he had no wish to make any rash, immediate, or comprehensive change in the representation, yet he had ever entertained the opinion, that a temperate and salutary reformation should take place, and every succeeding year confirmed him in that conclusion.

Ordered to lie on the table.

AGRICULTURAL DISTRESS—AND THE FINANCIAL MEASURES FOR ITS RELIEF.]

The Marquis of *Londonderry* said:

Mr. Speaker; In rising to call your attention to the important paragraph in his majesty's most gracious Speech, which the clerk has just read, I am sure the House will believe me when I unfeignedly declare, that on no occasion of my public life have I ever experienced more anxious feelings than at the present moment; because, among the many measures of great public importance, which it has been my duty to propose to the consideration of parliament, I sincerely believe, that it has never fallen to my lot to open to them a question, embracing topics of greater difficulty and complexity, or one which has excited stronger anxiety both within and without these walls; more or less involved as the interests of every individual in the community are, in the decision of parliament on this subject. This being the nature of the question, the House must be aware that I feel very anxious as to the possibility of adequately discharging the duty which I have undertaken; labouring as I do, on the one hand, under the desire not unnecessarily to occupy the time of the House, but to compress into as small a compass as possible the information which I have to communicate; and, on the other hand, convinced as I am, that I should not be warranted, from consideration for their convenience or my own feelings, in abstaining from the statement of

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any fact which may be necessary to the elucidation of this important subject.

If, in the course of the statements and observations which I am about to submit to the House, I should, for the purpose of economising their time, occasionally assume, this night, certain propositions, rather than prove them, and quote the results of calculations without immediately showing the process by which I have arrived at those results, I must entreat, that they will have the goodness, for the present, to take those propositions and calculations as *data*, which they will, hereafter, have ample opportunity of examining and verifying; for I shall be perfectly prepared, at a future period, to state to the House in detail, all the grounds and reasons which have led to those conclusions. With whatever industry I may have applied myself to the details of this interesting and important question; how valuable soever the aid which, from my situation in his majesty's government, I may have received from several of the public offices; and whatever access I may have had to the best sources of information, some error may nevertheless have crept into a statement of such length — yet I beg the House to believe, that it is my earnest desire not to colour any part of this statement, or to make a single assertion which I do not believe to be well-founded, and which I shall not be prepared at the proper time to establish.

Sir, in entering on the consideration of this important subject, it is to me a gratifying circumstance that I feel myself enabled to start from the same point as the hon. and learned gentleman who addressed the House the other evening. For, although I will not disguise from that hon. and learned gentleman, that in the vast and almost interminable field over which it is necessary to travel, I shall feel myself compelled to diverge very widely from his track, and that I shall separate from him on points of no small practical importance, still it is some satisfaction to me that we set out from the same position. I assume as the basis of my argument, the basis assumed by the hon. and learned gentleman—namely, that such is the situation of the country at the present moment, and such is the aspect which its various interests present, that there is no kind or degree of retrenchment which can be pointed out, and which shall be founded on sound and rational principles of political economy, and calculated to relieve the people from the pressure of taxation under which they labour, that it is not the bounden duty of parliament immediately to adopt. Economy and retrenchment are indeed the duty of parliament in any situation of the country; but they become our primary and paramount duty, when the interests of those whom we are called upon to protect are suffering under great pressure; and when the nation, but lately emerged from such an arduous struggle as that in which Great Britain has been engaged, must sensibly feel the effects of those exertions, until the reviving prosperity of the country shall take those new dimensions, which may render her existing burthens comparatively easy to be sustained; the more especially when we consider that this pressure has been seriously aggravated by the great difficulties attendant on returning from a relaxed standard of currency, to that standard which ought at all times, if possible, to govern the transactions of the country. Under all these circumstances, therefore, every one who hears me must feel, that it is our duty to relieve, as far as it is possible for parliament to relieve them, the distresses of those classes which are most pressed upon by the common difficulties. So far, therefore, the hon. and learned gentleman and I start from the same point. We may differ very essentially as to the nature of the relief to be granted, and as to the mode to be adopted in communicating that relief; but, on the principle of the expediency of economy, and of affording the earliest practicable relief, the hon. and learned gentleman cannot be more earnest or solicitous than myself.

With regard to the existing state of the country, I will not detain the House long in explaining the distinction between the hon. and learned gentleman's views of its actual position and my own. Indeed, I can assure the hon. and learned gentleman and the House, that so little am I disposed to indulge in controversy to-night, that I would not even have touched on this subject, were it not with the view of showing the wonderful susceptibility the country possesses of recovering rapidly from depression, and returning to a state of prosperity. If the House has read with as patient an attention as I have (and every thing which proceeds from the hon. and learned gentleman is worthy of attention) the speeches which the hon. and learned gentleman made in 1816 and 1817, on bringing the manufacturing and commer-

cial state of the country under the consideration of parliament; and if they have remarked, as in that case they must have remarked, the striking contrast between those speeches and the speech which the hon. and learned gentleman delivered the last time he addressed the House, I might with great propriety compress what I have to say on that chapter of the subject into a very small compass; for certainly nothing can be more remarkably opposite than the hon. and learned gentleman's two descriptions of the state of the country. We certainly did not hear the other night any of those very distressing statements which are to be found in the speeches made by the hon. and learned gentleman at those periods. The hon. and learned gentleman then described the general population of the country in such a condition of suffering, and pressed down by such severe privations, that they were obliged to retire to rest before sun-set, in order to economise at once their physical strength and the scanty means of subsistence, light, and firing which they possessed. Sir, whatever may be the difficulties with which the country has yet to contend, it certainly cannot now be said that it is a starving nation. It may in some of its transactions be embarrassed; it may in some of its interests severely suffer: some classes of the community may be pressed almost to ruin; but at least it is consolatory to know, that this nation is not what the hon. and learned gentleman once described it to be,—a starving nation.

Sir, before I begin to speak of the existing agricultural distresses, I wish to trouble the House with a few observations, in order to put the manufacturing and commercial interests of the country in the light in which I think they ought to be regarded. The hon. and learned gentleman, in his speech on a former evening, represented the manufacturing and commercial interests as involved in the prevailing distress, although, with the exception of the iron trade, he pointed out no branch of manufactures or commerce that suffered under any particular pressure. I will not now delay the House by any circumstantial explanation of the causes which have exposed that most important branch of our manufactures to some abatement of the rapidly progressive prosperity, which it has latterly so eminently enjoyed; but it is no little consolation, after having heard the florid descriptions of distress contained in the hon. and learned gentleman's speeches in this and the preceding sessions,—after having heard of the misery to which the unhappy manufacturers were reduced in all parts of the kingdom—after having heard such prophetic and fearful warnings of the duration of that misery—after having heard appeals to the feelings of the manufacturers themselves, which might have as well been spared—after having heard all these things, I say, it is extremely consoling and satisfactory to observe that this great mass of distress and evil has entirely disappeared, in consequence of the agency of those natural causes which operate much more actively and beneficially than any that the head of man can devise.—Sir, I speak in the presence of many hon. gentlemen, who will correct me if I make an erroneous statement—and, God knows, nothing can be farther from my wish than to mislead the House on this subject—when I assert that the manufacturing and commercial interests of the country have undergone so favourable a change, that, taking them generally, at no period in the history of the country, have they been in a condition of more healthful, though temperate prosperity. The wages of manufacturing labour are certainly not so high as they were during the war, a circumstance perhaps the less to be regretted, as those high wages too frequently led to extravagance and idleness. But now, instead of finding a market stimulating to excessive effort, instead of seeing industry injuriously goaded on by extravagant wages, we see industry sustained and encouraged by adequate and sufficient wages; we see the manufacturer already living in great comfort, and looking forward to gradual and progressive prosperity. Upon the whole, I am not assuming too much when I say that, throughout the manufacturing districts the manufacturers are now receiving, as the fruits of their industry, the sum of twelve-pence where, during the recent period of actual distress, they received eight-pence; and that with eight-pence they can obtain as many of the necessaries of life as would then have cost them twelve-pence; so that their condition is a hundred per cent better than it was.

This consolatory view of our situation extends to the manufacturing, the commercial, and to various other classes of the community, but I must go along with the hon. and learned gentleman, in deeply deploring the heavy pressure under which

the agricultural classes are labouring. I hope, Sir, that if any thing should drop from me in the course of argument, which may have the appearance of not admitting the existence of that pressure to its full extent; or if I should deny the efficacy and policy of some of the remedies which have been suggested for the evil, the House will not suppose that it is from want of commiseration or sympathy; or a due sense of the inconveniencies, temporary as I trust they are, which that great and important part of the population of the country are suffering. For myself, my own private interests are so bound up with those of the land, that, so far from not being sufficiently interested on that subject, if it be necessary for me to be at all watchful over the bias of my mind, it must be to guard myself rather against partiality, in whatever concerns the landed interest. But, with every disposition to admit all that is due to the other great branches of the public industry, and satisfied as I am that to their mutual connexion Britain is indebted for her resources, her greatness, her prosperity, every thing which has rendered her the admiration of the world; yet, although all the interests of the country are bound up and must stand or fall together, I must nevertheless contend, that the landed interest is that to which, if any preference can be shown, this House must always feel called upon to extend its utmost protection.

And here, Sir, I must beg leave to correct a mis-statement on the part of the hon. and learned gentleman; and I do it thus early, because I know the stress that is laid on any argument which is used to show how perniciously certain taxes bear on the agricultural interest. The hon. and learned gentleman stated as an extraordinary fact, that the country now consumed a third less malt than it did thirty years ago [Mr. Brougham, *across the table*, "a seventh,"]. Well; say a seventh. If the hon. and learned gentleman had merely stated that the consumption of malt had not increased with the growing population of the country, I would not have denied the fact; although I should not be disposed to draw from it the inference, which has been drawn by the hon. and learned gentleman. I should attribute the diminished consumption of malt, not to a want of means in the consumer, nor yet to the pressure of the particular tax, but to a change in the habits of the population, a change which had led them to the consumption of other articles in preference, and articles more suitable to their tastes, if not to their health. The argument of the hon. and learned gentleman, if it be good for any thing, is good for this—that the alleged diminution in the consumption of the article in question, has been produced by the increase of taxation. Now, Sir, what are the facts? So far from the country consuming a seventh less malt than it did in 1792, a reference to the official accounts of the excise will show, that the consumption of the last year, and of that part of the present year which has elapsed, is greater than the consumption in 1792; and what is very remarkable, is, that it appears from these records, that least malt was consumed in those years, in which there was least taxation upon it! Now, do not let the hon. and learned gentleman and the House suppose, that I thence infer that, generally, taxation increases consumption. I merely state the fact, as it appears on the face of the official returns, as a presumptive proof that the scale of consumption depends on other circumstances than the rate of duty. Taking the consumption of malt at the average annual number of bushels consumed, calculated for successive periods of three years each, and beginning at the year 1791, it appears that the average annual consumption during the years ended the 5th July,

			Bushels.
1791, 1792,	and 1793,	was	27,011,073
1794, 1795,	— 1796,	—	26,131,162
1797, 1798,	— 1799,	—	29,879,506
1800, 1801,	— 1802,	—	21,128,681
1803, 1804,	— 1805,	—	25,081,462
1806, 1807,	— 1808,	—	24,935,460
1809, 1810,	— 1811,	—	24,631,362
1812, 1813,	— 1814,	—	22,383,637
1815, 1816,	— 1817,	—	23,487,829
1818, 1819,	— 1820,	—	24,448,115

that the consumption in

1821		was	28,697,057

and that it has been, during the portion of the present year which has elapsed, at the rate of about 30,000,000 bushels. I have stated this to the House, because I know that a great impression was made by the hon. and learned gentleman's assertion of the diminished consumption of malt. In referring to the great change which has taken place in the habits of the people, who are certainly less addicted to drinking strong liquors, than they were

formerly, it must be observed, that there are other beverages which many persons now prefer to beer. I may mention particularly tea as one of those beverages. It is clear that tea has got into more general use; and that a large class of individuals, who formerly drank beer, now drink tea: not from being too poor to command the former, but from preferring the latter. I am not going to argue tea against beer, or beer against tea; but I simply state the fact to shew that if the consumption of malt has diminished, though not positively, yet with reference to the augmented population of the country the consumption of tea has increased—and has increased with a continually increasing duty. I will take the average annual weight, calculated in periods of three years each for the last thirty years, of the tea, on which duty has been charged. In 1790, before the consolidation of the duties, the Excise duty on tea, was 7*l.* 10*s.* per cent on the sale price. The addition of the Customs duty, made it 13*l.* per cent. It appears, by the official returns, that the average annual weight of tea charged with duty and consumed during the years ended 24th June,

				lbs.
1790, 1791,	and	1792,	was	17,468,301
1793, 1794,	—	1795,	—	19,424,566
1796, 1797,	—	1798,	—	20,963,781
1799, 1800,	—	1801,	—	24,249,560
1802, 1803,	—	1804,	—	20,933,725
1805, 1806,	—	1807,	—	20,734,453
1808, 1809,	—	1810,	—	20,552,565
1811, 1812,	—	1813,	—	20,918,081
1814, 1815,	—	1816,	—	23,310,798
1817, 1818,	—	1819,	—	21,904,925

and that the mean of the consumption of the two years

1820, and 1821,......... was 22,461,592

During the whole of this period of thirty years, the duty with little interruption, has been gradually increasing from 13*l.* until it has reached 100*l.* per cent.

Now, it is a curious circumstance, that although the hon. and learned gentleman declares (erroneously, as I have shown,) that the consumption of malt has decreased a seventh, because the people are so distressed as to be unable to bear the tax, the very same people choosing, it seems, tea in preference to beer, consume a sixth more tea, now that tea pays a duty of 100*l.* per cent, than they consumed when it paid a duty of only 13*l.* per cent; that is, the people of this "impoverished" country voluntarily incur an annual charge of three millions sterling, which they might avoid. The argument to be drawn from the consumption of various other articles, corresponds with that arising from the consumption of tea. It appears, from the Excise returns, that not only has there been an increase of comfort in the country, but an increase of cleanliness. The fabrication of bricks for the erection of dwelling houses, has, it appears, largely increased; and the consumption of soap has nearly doubled in the last eight or ten years. I might go into a statement of a similar increase in other articles of consumption; but I am sensible that the time of the House is too valuable to justify me in dwelling longer on this part of the subject. There is only one more document, therefore, to which I wish to call their attention. It speaks volumes. I do not produce it to rebut the notion of the existence of great agricultural distress; but it proves to my mind, in the most full and satisfactory manner, that that distress is not so universal and destructive, nor yet so irremediable, as the hon. and learned gentleman has endeavoured to show. And, Sir, I know no greater cruelty, when the people are suffering from causes which cannot be immediately controlled, than to preach to them the language of despair. At a time when real evils enough exist, to endeavour to create a delusive sense of despondency, an object to which all the arguments and all the doctrines of the hon. and learned gentleman but too distinctly point, is not to address the language of real frendship to the people. It tends only to aggravate distress, by generating a belief, that their situation is hopeless; or, at least, that no remedy can be efficient but one which the nature of the public service, and the necessities of the state render it impossible to apply. I repeat, that the only further document connected with this part of the subject to which I wish to call the attention of the House, is, a statement of the produce of the Excise collections of the whole kingdom (leaving out London, the produce of which collection depends upon causes peculiar to itself), for the last, as compared with the preceding year. By the working of the Excise laws, which form the great barometer of consumption, and which, with the above exception, involve the question of a revenue of above sixteen millions and a half, collected in fifty-nine districts, it appears that there has been in the course of the last year, an

increase in the gross receipt of those collections, amounting to 1,528,750*l.*; from which, if we deduct 125,230*l.*, being the decrease in the very few collections deficient, it will show that there has been an increase of above 1,400,000*l.* or between nine and ten per cent on the whole of the Excise duties throughout the kingdom, exclusive of London. But what is peculiarly encouraging, in this circumstance, is, that the increase has not taken place in any particular districts, from the occurrence of an accidentally stimulated consumption, accompanied with a great falling off in other districts; but that it has been generally diffused, while the decrease has taken place only in a very few collections, and in those instances can be accounted for from local and specific causes. I do not state all this to rebut the complaints of the country, under the pressure of the distress, the existence of which I have already admitted; but I state it to show how powerful are the principles of resurrection and prosperity in the country; principles which, if the House will only support by encouraging public credit, will soon, by their natural progress, restore every thing to a satisfactory state. But, to return to the fact. In the fifty-nine collections, there are only *six* which exhibit any diminution whatever in the Excise duties. In three, the defalcation is merely nominal, being little more than 2,000*l.* or 3,000*l.* in each. The only three collections which exhibit a sensible diminution of duty are, Canterbury, Sussex, and Worcester; and this the failure of the hop duty at once explains.

It gives me great pleasure, Sir, to be able to relieve the House from any farther consideration of this branch of the great question before us, by simply pointing their attention, in addition to what I have already stated, to the prominent facts which I am now desirous of laying before them. In the first place, it appears, that, notwithstanding the pressure which weighs down the country, we have a rising revenue, proved by the increase of above 1,000,000*l.* revenue in this year, over the revenue of last year, in which year I beg leave to observe, there was also a large and important increase over the revenue of the year preceding. In the next place, the commerce of the country is largely and rapidly improving. From the returns of the official value, which, as giving the comparative quantities exported in each year, is the fairest mode of estimating it, the British and Irish produce and manufactures exported during the last three years, it appears, amounted in the year ending Oct. 10, 1819, to 37,590,854*l.*, in the year ending Oct. 10, 1820, to 38,272,734*l.*, in the year ending Oct. 10, 1821, to 42,747,762*l.*, being an increase, in the last year, of above 4,400,000*l.* over the preceding year, and nearly 6,000,000*l.* over the foregoing year. We have, therefore, the satisfaction to see, that under all the pressure, which, I admit, exists on the agricultural and labouring classes, the revenue of the country is increasing; and, what is of the utmost importance, the commerce of the country is largely, and rapidly, and steadily improving, and with it our manufactures, the salutary effects of which cannot fail soon to be felt by the landed interest: and, as far as my observation goes, that increase and improvement are founded on solid principles, and do not flow from improvident speculation. It appears, besides, that consumption, both as to the comforts and even the luxuries of life, is advancing, not only with rapidity, but with a universality of distribution which clearly shows that the principle of prosperity subsists; and that it requires only an animating cause to produce its full and natural effects: and, certainly, as far as parliament can accelerate the operation and extension of such a principle, it ought not, and, I am persuaded, it will not be wanting in its efforts.

Sir, before I describe to the House what the actual financial situation of the country is, I beg to be permitted to make a few preliminary observations, which will, I persuade myself, have the effect of shortening the discussion between the hon. and learned gentleman and myself; and of narrowing the view which it will be necessary for me to take of the subject. I think the hon. and learned gentleman told the House, that the true and only remedy for the existing distress was the reduction of taxes. Of course, the hon. and learned gentleman does not reject the operations of nature in our favour; but he maintains, that, as far as the wisdom and power of parliament can operate, by no other plan can an effectual relief be found for the distresses of the country, but by pushing to its utmost extent the reduction of taxation. [Hear, hear!] I am exceedingly glad to find, from the cheers of the hon. gentlemen

opposite, that I have caught so correctly the views of the hon. and learned gentleman; for now I shall be able to state precisely the point on which we differ.

I again entreat the House not to suppose that I am standing here to defend the doctrine, that taxation is a blessing; or to dissuade parliament from repealing a single tax that can be repealed with real advantage to the community. I am ready to agree to the repeal of any tax which the parliament of the country, after fully and fairly considering the subject, shall be of opinion can be repealed,—preserving at the same time that religious respect for public credit, which is the foundation of national honour, and without which no nation can be, or ought to be prosperous. All that can justly and wisely be repealed, I will go along with the hon. and learned gentleman, and with his most zealous supporters, in repealing. But the question, Sir, comes to this:—whether it is in such a repeal alone, or even principally, that the specific relief of the agricultural interest is to be sought?—whether they can hope, from any immediate reduction of taxes, to experience a material reduction of distress?—or whether that relief will not be more effectual, and more speedy too, if administered with reference to those general principles which ought to govern us in all our proceedings? Here, then, is the difference between the hon. and learned gentleman and myself. The hon. and learned gentleman looks for relief to the repeal of taxation alone—I look as eagerly as he does to the repeal of taxation; but I look to it as qualified by all those principles which regulate public prosperity, and in public prosperity involve private prosperity also; and this view of the subject will be found to separate our arguments still further as I advance.

I will now proceed to explain my reasons for denying that the question of agricultural relief can be regarded as mainly dependent on the repeal of taxes, instead of on all those other circumstances which regulate the value of produce, and influence the state of the markets. An hon. member of great authority on these subjects (Mr. Ricardo), stated, in reply to the hon. and learned gentleman's speech on a former evening, that a country might be wholly exempt from taxes, and yet suffer more severely from agricultural distress than we now do. Grounding myself upon this obvious principle, and supported by his authority, I do not hesitate to assert, that could we at once sweep away the whole mass of our taxation in a moment, our distress would still continue to press upon us—in so small a degree does that distress, in fact, originate in the operation of taxation.

I shall make myself more intelligible when I put the argument thus:—In what proportion do taxes really enter into the expenses of the farmer? I know very well we shall have a great many views submitted to us by different gentlemen on this part of the subject; and I also know that the situation and circumstances of different farmers will present different results varying in degree, but agreeing sufficiently for all purposes of reasoning. I shall proceed, however, to state what is the result of a fair calculation, made on the most general view that it is practicable to take of this subject; and I will then apply that result to the argument between the hon. and learned gentleman and myself. The result, then, of the best inquiry which I have been able to make is, that if I estimate the total amount of the taxes, direct and indirect, which can by possibility bear upon the farmer, considered in his double capacity of a cultivator and a consumer, at one-seventh of his rent, I estimate it quite as highly as the facts will warrant. However, I am ready, for argument's sake, to estimate it even at one-fifth of his rent. Now, if the taxes on the farmer bear the proportion of one-fifth of the landlord's rent, and the landlord's rent, bears the proportion of one fourth of the value of the produce of the soil, it follows, that the taxes on the farmer will amount to one-twentieth of the value of the produce of the soil; or, in other words, to five per cent on the outgoings and incomings of the whole farm. It is for the hon. and learned gentleman to shew (dispose of the question of taxation as you will) how such a sum as five per cent on the value of the produce of the soil, can have the effect of occasioning or continuing the present distress. But, suppose the state could afford to sacrifice as much of its revenue as would be equivalent to five per cent on the produce of the land—a sum probably amounting to not less than seven or eight millions—it is not too much to assume, that, from the very numerous channels of intermediate profit through which such remission must pass before it could reach the actual cultivator, and in

which a large portion of it would be intercepted, not above half the value of the whole remission would reach the pocket of the farmer; so that instead of five per cent the cultivator would actually receive a remission of only two and a half per cent. If, then, the state is to be called upon to give the farmer five per cent on his produce, the House must, in that case, be prepared to sacrifice fourteen or fifteen millions of revenue; which is so absurd a proposition, that I need not dwell upon it for a moment. Sir, I do not mean to say that a relief of five per cent would be wholly unimportant to the farmer; but I contend that it would not make such a difference in his present state, as to realise the fanciful expectations which he is encouraged to entertain, or materially to affect his general transactions for the year.

But, Sir, the proposal to repeal taxes to such an extent is worse than unavailing; it is delusive. It is in vain to suppose that any thing we can do will counteract the operations of nature, or influence essentially the state of the markets. It is not to a repeal of taxation that the farmer must look for relief. What passes in Mark Lane and in Smithfield is of much more importance to the farmer in that respect, than what passes in the House of Commons. It is in those markets for the farmer's produce that the causes are operating which alone can have an extensive or a permanent effect on his prosperity. Taxation is only a small portion of the question of relief; it is far from being, as I trust I have distinctly shewn, the main question itself. The hon. and learned gentleman asserted the other evening, that if the whole of the landlord's rent were surrendered to the farmer, still even that sacrifice would be insufficient for the farmer's relief. Is it not then an insult to the common sense of the House and the country, for the hon. and learned gentleman to contend, in the same breath, that the reduction of taxation, forming as it does but a proportion of that rent, could be effectual; or could even materially contribute to relieve the farmer? I feel that it would be a waste of the time of the House to dwell any longer on the dangerous delusion held out to the agricultural interest by those who maintain that any material change in the condition of the farmer can be expected from the remission of taxes, instead of proceeding from the hand of Providence, from the due course of nature, and from the uncontrollable operation of all those great laws and principles which govern the markets of the world.

The hon. and learned gentleman may say, "If not in repeal of taxes, where then is relief to "come from?" My answer is —where it never fails to come from. It will come from the operation of capital; which cannot long remain unproductive. The supply and the demand will soon adjust themselves to each other. Complicated as the question is in theory, yet every day facts are exhibiting its true character; and the reductions which are taking place in rents, and on the price of all articles used by the farmer in the cultivation of his land, will speedily carry matters to the true point of equalization. The supply will proportion itself to the demand. The remedy for the evil will be found in the unerring laws of political economy. There is the true source of the farmer's hope. It is to the operation of natural causes that he must look for effectual relief, and not to the confiscation of the revenues of the state. If the farmer were so ignorant of his true interests, of the very rudiments of political economy, and of the real causes of his present distress as to imagine he saw his own advantage in such an improvident concession as would take him out of the class of contributers to the burdens of the state, the farmer would soon find that he derived no eventual benefit from the concession, and that the laws of nature had decided that it should not fructify to his advantage. The immediate relief that he might experience would be enjoyed by him but for a very short period. The excess beyond the ordinary profit of capital would soon be taken from him, either in rent or reduction of the price of his commodity. Experience would soon convince the farmer that the benefit which he might think he had secured was imaginary. Providence has ordained that any expectation so monstrous must defeat its own purpose, and both parliament and the agriculturist would be severely punished, for having unhappily yielded to the delusive representations of those, who had held out a prospect of relief from the improvident remission of taxation; and for having entertained the fallacious hope, that the agriculturists, or any other great class of the community, could by possibility be withdrawn from the operation of those unseen, but all-powerful causes which necessarily affect and regulate the whole system of our productive industry.

Having thus, Sir, stated the difference between my opinions on this branch of the subject, and those of the hon, and learned gentleman, I proceed to that which is certainly the most material part of the duty I have to perform, namely, to put the House in possession, as clearly and briefly as I am able, of what the financial position of the country is at the present moment—what are the views which his majesty's ministers entertain of that position —and what are the means which, in their judgment, parliament may most wisely, apply, for the double purpose of relieving the present distress, and securing the general and permanent prosperity.

I forgot to mention, in its proper place, what it will be very satisfactory to the House to know, that, up to the latest period to which it can be calculated, the revenue appears to be increasing. By an official return it will be seen, that there is an increase in the five weeks of the present quarter, which ended on the 3rd of February, of 202,000*l.* as compared with the corresponding period of the last year.

Sir, I think I shall most clearly put the House in possession of the course which his majesty's government intend to propose, by first apprising them of the reductions which they have felt themselves enabled to make since the last session of parliament. I will then shew what our present income and expenditure are, and what is the actual surplus which we have realised; and that will lead me to the consideration of what will be the most expedient application of the means thus obtained for the general interests of the country. For the sake of convenience, I will state the sums in round numbers, and abstain from those details which there will be frequent opportunities hereafter of examining. I shall now state the amount of the supply required by the estimates of the present year, and that which was voted in the last year; comparing the principal items, and shewing what is the proposed nett saving.

The grant for the Army, ordinaries and extraordinaries, last year, was 8,736,000*l.* —the proposed grant for the present year is 7,748,000*l.* being a saving of 988,000*l.* The grant for the Navy last year was 6,382,000*l.*—the proposed grant for the present year is 5,497,000*l.* being a saving of 885,000*l.* The grant for the Ordnance last year was 1,094,000*l.* the proposed grant for the present year is 1,200,000*l.* being an apparent exceeding of 106,000*l.* but it must be recollected, that last year considerable aid was derived, in the Ordnance department, from the sale of old stores: when this circumstance is taken into the calculation, instead of any excess in the Ordnance of the present year, there is, in point of fact, an actual diminution of charge to the amount of above 100,000*l.* For the Miscellaneous services of last year, the grant was 1,890,000*l.*—the proposed grant for the present year is 1,700,000*l.* being a saving of 190,000*l.* The total of the supplies voted in the last year, exclusive of the interest and sinking fund upon Exchequer bills, was 18,107,000*l.* while the total of the supplies which it will be proposed to vote in the present year is 16,145,000*l*, making a clear reduction of 1,962,000*l.*—This is the actual reduction, exclusive of the sum of 80,000*l.* for coast blockade, transferred from the department of the Customs to the navy estimates, and which did not formerly belong to them. This sum ought to be added to the general reduction, and will consequently make it amount to above 2,042,000*l.*

I will now proceed to a comparison of the estimates of the present year with the estimates of the year 1820, and also with the prospective estimates in the report of the finance committee of 1817. The total supply voted by parliament in 1820 was 19,673,000*l.*—that to be proposed in the present year is, as I have already stated, 16,145,000*l.*—Being a reduction in the supply of the present year, as compared with the supply of the year 1820, of 3,528,000*l.*; and, as compared with the supply of last year, of rather more than 2,000,000*l.* If we compare the aggregate of the Army, Navy, Ordnance, and Miscellaneous services in the estimates of the present year, with that contained in the Report of the Finance committee of 1817, we shall find that there is a reduction of 1,904,000*l.*; but if we deduct 700,000*l.* from that sum, on account of the difference in the interest of the unfunded debt depending upon other causes than the expenses of the year, the reduction will be 1,204,000*l.* So that, on the whole it appears, there is, in the present year, a reduction of 1,171,000*l.* below the lowest estimate of our peace expenditure as set forth in the report of the finance committee; a reduction of 3,608,000*l.* below the estimates of 1820; and a reduction of rather more than 2,000,000*l.* below the estimates of last year. And here, I must beg leave to call the particular attention of the House to

the sum on which this amount of above 2,000,000*l.* has been saved. It should not be considered as saved on the gross sum of 18,107,000*l*, being the supplies voted last year, for from that sum there must be deducted about 5,000,000*l.* of dead expenditure of the Army, Navy, Ordnance, &c. applied in half-pay, pensions, and annuities over which his majesty's government have no control whatever. The actual sum, therefore, on which this saving of 2,000,000*l.* has been really effected is about 14,500,000*l.* being a saving of about one-seventh on the whole charge.

Now, Sir, although I have thought it the most satisfactory course to present to the House what the estimates of the ordinary expenditure of the present year are, in order that they may be enabled the better to compare them with the estimates of former years, and to distinguish the amount of the savings which his majesty's ministers have been able to effect; yet, on the other hand, I ought to state, that there are two extraordinary charges, for which parliament will be called upon to provide in the present year, which are not likely to recur, and which must rest, for their justification, upon their own merits. I will now merely state what those extraordinary charges are; and show how it is proposed, that they shall be covered, without prejudice to the general financial system on which his majesty's government are now acting, under the declared sense of parliament. The first is, the extraordinary expense, arising out of the disturbed state of Ireland, from the necessary employment of the veteran battalions, the yeomanry corps, &c. On this subject, it is intended to present a distinct estimate. The second extraordinary expense is a proposed grant to Greenwich Hospital. The vote intended for the extraordinary expenses growing out of the disturbed state of Ireland, will be 350,000*l.*; an expense which we hope may terminate even before the expiration of the year, if the measures now in progress for the restoration of public tranquillity shall happily be attended with the desired effect. The grant to Greenwich Hospital will amount to 320,000*l.*, the necessity for which has been occasioned by the diminution of some, and the cessation of other sources of revenue, which accrued to that valuable institution during the war, from the pay of seamen, prize-money, &c. This aid, I am happy to assure the House, will not be required in another year, as means are in contemplation, which will next year enable my noble friend at the head of the Admiralty, by further reductions in our naval expenditure, to include that sum in the general estimates of the navy, taking them at their present amount.

Having thus, Sir, stated the amount of the reductions which his majesty's government are enabled to propose in the expenditure of the country, I come to consider what the state of our income is, as compared with our expenditure, and what is the actual surplus which parliament can now dispose of for the public benefit. But before I enter on this branch of the subject, I must request the Clerk to read the Resolution, founded on the report of the Finance Committee, to which the House came in June 1819.

[*Here the Clerk read the Resolution, as follows:*]

"That to provide for the exigencies of the public service, to make such progressive reduction of the national debt, as may adequately support public credit, and to afford to the country a prospect of future relief from a part of its present burthens: it is absolutely necessary, that there should be a clear surplus of the income of the country, beyond its expenditure, of not less than 5,000,000*l.*; and that, with a view to the attainment of this important object, it is expedient now to increase the income of the country by the imposition of taxes to the amount of 3,000,000*l.* per annum."

Sir, I will now call the attention of the House to the situation in which parliament and his majesty's government are placed with reference to the subject matter of the Resolution, thus wisely recorded in our Journals; and in strict conformity to the principle of which Resolution, his majesty's ministers have since acted, in all they have done, with regard to the finances of the country. The first question is—what, after comparing our income with our expenditure, is the clear surplus which we can use in furtherance of the object declared to be "absolutely necessary" in the resolution which we have just heard? The accounts which I am now about to submit to the House, are prepared on the principle of exhibiting the whole of our nett annual receipts and charges, and thus arriving at a balance, without involving the account in the details of the system of the sinking fund as at present established by law. I begin with the income; and I take the

revenue of last year as the basis of my calculation; assuming nothing on the prospect of its improvement, although its progress for several years, and its present progressive state, might well warrant me in so doing. But, on the whole, I think it is better to take the revenue as it stands; leaving any extraordinary improvement that may take place to meet any extraordinary charge which may occur. The actual income for 1821, was 55,997,000*l.* To this, however, I am entitled to add 80,000*l.*, being the saving to the Customs by the transfer of the coast blockade to the Navy; and 150,000*l.*; being the saving in revenue, and other departments, by deductions proposed to be made from offices, superannuations, &c. the principle and extent of which deductions, my right hon. friend, the Chancellor of the Exchequer has given notice of his intention, at an early day, to bring under the consideration of the House. These two sums make together 230,000*l.*; and if we add them to the actual revenue of 1821, namely, 55,997,000*l.*, they will make the sum of 56,227,000*l.* From this sum, however, I must deduct 480,000*l.* lost to the revenue by the repeal of the horse tax; 300,000*l.* in consequence of the receipt this year under the head of French Indemnity, being less by that sum than last year; and 219,000*l.*, the sum repaid for public works in 1821. These three sums make together 999,000*l.*, to be deducted from 56,227,000*l.*; reducing the income, on which I have a right to calculate for the present year, to 55,228,000*l.* In adverting to the French Indemnity, I cannot but do homage to the fidelity and high honour with which France has wound up all her pecuniary transactions with the several European powers. The proportion of the French contributions which, under treaty, belonged to this country, it may be satisfactory to state, will have realized to the public not less than 700,000*l.* clear, after accounting with the Netherland's government, under our treaties, for 1,529,000*l.*, and covering also the extraordinary charge of the British army of Occupation in France, beyond the rate allowed by that State for its maintenance.

I now proceed to the statement of the Expenditure for the present year. The charge upon the consolidated fund, exclusive of the sinking fund is divided under two heads:—29,609,000*l.* for the dividends and management of the unredeemed funded debt, and 2,041,000*l.* for other permanent charges; making together 31,650,000*l.* The interest on Exchequer bills (including Exchequer bills on the consolidated fund, and an arrear of 200,000*l.* to the Bank of England, not to occur again) is 1,500,000*l.* The army, exclusive of the extraordinary aid required in Ireland to which I have already adverted, and of the expenses of recruiting and clothing for the regiments serving in India, is 7,743,000*l.* The navy is 5,500,000*l.*: the Ordnance, 1,200,000*l.*: the Miscellaneous charges 1,700,000*l.*; and Greenwich Hospital, 320,000*l.*; making a total expenditure, exclusive of extra expenditure for Ireland, of 49,618,000*l.* If we add the estimated extra expenditure in Ireland, the amount will be 49,968,000*l.*; and after deducting this sum from the total amount of income, namely 55,228,000*l.*, there will remain a clear surplus over all the expenditure of the year; extraordinary as well as ordinary, of 5,260,000*l.*

On the subject of the Army Estimates, I wish to observe, that therein it is assumed, that 200,000*l.* will be actually paid by the East India Company in the present year, for its proportion of the expenditure of the king's troops in India, as issued by his majesty's government in Europe. This sum is regularly issued by the paymaster-general, but not repaid within the year by the company. It is carried to an account current between the government and the company. And what is to be desired is, that the company should replace by quarterly issues to the paymaster-general, the payments made on account of the Indian army, in order to simplify the estimates of the year. I shall still hope, that no serious objection can be made to this course of proceeding, as the company do not dispute the charge against them on this head, and as the only question is in regard to the mode of bringing it to account. There is also another subject of negotiation between his majesty's government, and the East India company, on which we have not yet been successful, but in which, knowing, as I do, the liberality and honour of that distinguished body, I cannot persuade myself but that we shall eventually succeed; and that is, Sir, to induce the East India company to bear their fair proportion of the dead charge on the king's army in India. It surely is not an unreasonable expecta-

tion, when the state furnishes 20,000 men for their service, that the East India company should bear a fair proportion of the expense of such of the troops as are, in the natural course of service, pensioned and sent home. If this circumstance had not been overlooked, it must have been made a matter of stipulation on the renewal of the company's charter. It is not intended, however, to give this claim a retrospective effect; and although his majesty's government have not hitherto been successful in persuading the East India company to accede to the proposition even as thus limited, I have no doubt that a sense of justice will ultimately induce that company to contribute their just share, in so far as this branch of the public expenditure is concerned, to the relief of the burdens of the state.

And now, Sir, before I enter into the measures which parliament ought to adopt, in consequence of the means which, by the surplus of the revenue over the expenditure, are placed at its disposal, I feel that I should not do justice to the House—I feel that I should not do justice to my right hon. friend, near me, if I did not sincerely congratulate them on the eminent financial position to which the country has now attained. Notwithstanding the numerous and complicated difficulties, and the severe pressure under which it has been labouring, not more than three short years have elapsed, since the passing of the Resolution which has been read by the clerk; and yet, in that time, my right hon. friend has accomplished the labour to which he was pledged by that Resolution. He has secured for the country, a clear, undisputed, available surplus revenue of 5,000,000*l.* The principle of finance, which my right hon. friend, in concert with my noble friend at the head of the Treasury, has pursued with so much zeal, and which fortunately met with the approbation and sanction of parliament, has been crowned with complete success; and my right hon. friend has, now that we are returned to a state of peace, the proud satisfaction, after carrying the finances of the country with triumph through a war attended with a more heavy and complicated expense than any in which we were ever before engaged, not only to have equalized the revenue with the expenditure, but to have enabled parliament to realise a solid system of public credit, founded on the basis of a large surplus income; thus placing in the hands of this House a most powerful instrument, if wisely and properly used, for rapidly promoting the regeneration of the public prosperity.

And this brings me, Sir, to the policy of the hon. and learned gentleman opposite, as contrasted with the policy of his majesty's government. The question for you to decide is, will the interests of the country be best consulted by sweeping away all this surplus revenue which you have been at so much pains, and have bestowed so much labour, to create; and by giving it at once to the people, under all the hazards of such an act, even to the regular payment of the dividends to the public creditor; under all the inevitable depression of public and of private credit; under the danger, or indeed the certainty, of suddenly impairing the resources of the country, public and private; for the purpose of affording what, in point of fact, would, after all, be a very limited relief to those who are now undergoing a temporary distress? Will you, for purposes so inadequate, and at the risk of evils so incalculably great, abandon at once, as the hon. and learned gentleman recommends you to do, all the great principles on which you have hitherto sustained both public and private credit? Or, will you not rather, standing on the firm vantage ground which you have created for yourselves, determine to consult the true interests and permanent prosperity of the nation (and of no part of it more than of those who are at present suffering), by resolutely maintaining your long established principles of public faith, and of public credit?

It must be in the recollection of the House, that from the first moment at which my right hon. friend, after the return of peace, opened the view on which his majesty's government were desirous of acting, with respect to the finances of the country, their object has invariably been to sustain and improve the public credit, in such a manner as might enable them eventually to relieve the country from a very considerable part of its pressure, by diminishing the high interest on a large portion of the public debt. To that subject I wish now to advert. In the first place, the House are aware, that the capital of that part of the national debt which bears an interest of five per cent, is not less than 155,000,000*l.*; and that the capital of that part of the national debt, which bears an interest of four per cent,

is not less than 75,000,000*l.* The interest of the former is 7,750,000*l.*; that of the latter 3,000,000*l.*: making together an annual charge of 10,750,000*l.* The object which his majesty's ministers have continually had in view, has been to reduce that high rate of interest. To that object their attention has been anxiously directed; and I now call upon the House to consider what relief such reduction will afford; what effect it is likely to have on the immediate resources of the country; and what are the eventual results which may fairly be expected from the adoption of such a system of financial policy.

If we steadily adhere to the Resolution to which we stand pledged, a considerable reduction will annually take place in the amount of our debt, sustaining in every way the public credit of the country, accelerating the rise of the funds, and, in consequence, the lowering of the interest of money, thereby affording a substantial relief to every class in the community; the final advantage of which will be most extensive and important. Instead of breaking down public credit, and losing all the advantages thence to be derived, we shall maintain public credit, and be enabled in the management of our finances, to avail ourselves of all the favourable occurrences growing out of such an improved condition of public affairs. By pursuing the course which I have described, not only shall we be enabled to afford a present relief to the community, but we may look forward to the prospect of progressively reducing, and that at no very distant day, not only the whole of the five but also the four per cents, possibly to a three per cent stock. Such a state of things cannot immediately be expected, but the House will recollect, that it was only six years after Mr. Pitt first established a sinking fund of a million (which bore a much less proportion to the then debt, than that which the House, if they persevere in the system I recommend, will maintain), when on the basis of that security to public credit, the three per cents from being as low as 58, rose to 97 and a fraction. If the public credit, therefore, should be sustained as his majesty's government propose to sustain it, a shorter period may be required with the operation of a sinking fund of 5,000,000*l.*, instead of 1,000,000*l.*, to place us in a situation of similar advantage. At present, the three per cents are at 78; the interval, therefore in all probability will not be long, if we are resolute in maintaining the public credit, before we may hope to see the funds at such a price, as may enable us to reduce the interest upon the whole of the great mass both of the five and the four per cents.

To judge of the utmost extent of resource that may be derived from the conversion of this part of the public debt into funds bearing a lower interest, we may suppose, although the operation cannot be otherwise than progressive, the whole reduced into a three per cent stock. Taking the estimate upon this scale, a clear saving of 3,700,000*l.* of annual revenue would be effected. Such is the financial prosperity that will result from the principle of maintaining instead of abandoning, public credit. In the one case, we shall be enabled to reduce our expenditure in this single instance, to the amount of above three millions and a half; in the other, it is not too much to assert, that we must abandon all hope of accomplishing any considerable reduction either of the five per cents, or of the four per cents. Such a result, in truth, must be utterly hopeless, if a system, so detrimental to public credit as that of the hon. and learned gentleman, should be resorted to.

I am convinced, therefore, that when I say the sum of 3,700,000*l.* will be thus saved to the public from the reduction of interest, I am stating only the smallest item of the advantages which the country will enjoy from the support of public credit; for in my conscience I believe, that the effect on the general interests throughout the empire, will be much more extensive and important, even than the effect produced by so large a reduction of the interest on the national debt.

I conjure the House, therefore, as they have had the manliness to face all the difficulties hitherto opposed to them—as their sense of moral duty has induced them, in spite of every obstacle, to re-establish the true standard of our currency; from which, I trust, no situation of things will ever tempt us to depart—I conjure them to be no less firm and resolute in establishing the standard of our public credit. In doing so, they will confirm the public prosperity; for, as sure as the needle is true to the pole, so sure is it that the general prosperity of the country depends substantially on the maintenance of her public credit. Standing on the strength

of the system which has been created—standing on the authority of the resolution to which parliament came in 1819, that "to afford to the country a prospect of future relief from a part of its present burthens, it was absolutely necessary, that there should be a clear surplus of the income of the country beyond its expenditure of not less than 5,000,000*l*."—I have now to communicate to the House, that it is the intention of his majesty's government, without loss of time, to enter into a negotiation for the reduction of the higher rates of interest payable to the public creditor. I am confident, that this operation will be effected with perfect facility, so soon as parliament shall have shewn itself firm to its purpose; and when the country shall, through a conviction of this determination, be relieved from the gloomy apprehensions resulting from the hon. and learned gentleman's menaces, and from those hints of some frightful, but obscure, "necessity," which is to over-rule all our deliberations on this subject. "Necessity," Sir, "is the tyrant's plea;" and I look at it with equal alarm and jealousy, when it peeps from under the gown of a professional man, as when it comes from the mouth of a conqueror, or a despot; for, in either case, it threatens destruction to the first principles of justice, morality, and law. It is evident, that the word "necessity," as used by the hon. and learned gentleman—and I have not chosen to put so strong a construction upon the term, as my friends around me think I should have been warranted in doing, because I do not think it for the public interest to give to it such an alarming construction—it is evident, that the word "necessity," used in the obscure and ominous manner in which the hon. and learned gentleman used it, is calculated to excite apprehension in every loyal and virtuous mind, and to blight the great sources of our prosperity and power; unless parliament shall, at the very outset, boldly oppose the hon. and learned gentleman's projects, and uphold, with a strong hand, the principles to which they have been indebted for the maintenance of the national character, and of the public interests and honor.

In looking at what may be the immediate relief to the country from a reduction of the five per cents, I shall take the four per cents at the price at which they were a day or two ago when I made my calculation, namely 97. It is intended, in the first instance, to convert the five per cent into a four per cent stock. The House will see that as the three per cents bear in the market a higher relative price than the three and a half per cents, and as the three and a half per cents also bear a higher relative price than the four per cents, a larger immediate saving might be obtained from the reduction of the five into a three per cent fund, than will be obtained by its reduction into a four per cent fund; but this would not be sufficient to compensate for the loss of the saving which will hereafter arise from the reduction of the four per cent stock into a three per cent stock, when the price of the funds may render such a measure desirable. As an operation of policy, therefore, and of ultimate profit, it is much more expedient that the five per cents should, in the first instance, be reduced to a four per cent fund, by which only a small addition will be made to the capital of the debt; and in the course of a few years the country may expect an additional saving to arise out of a reduction of the four per cents.

Taking, therefore, the market price of the four per cents at 97, the conversion of the 155,000,000*l*. of five per cent into four per cent stock, will effect an immediate saving of 1,420,000*l*. It may be a little more or a little less, according to the bonus to be given to the holders, and to the fluctuations of the market at the time; but the calculation is sufficiently accurate for all purposes of reasoning upon its effect. I assume, therefore, that after having applied the 5,000,000*l*. surplus in liquidation of debt, which parliament, by its resolution of 1819, declared to be absolutely necessary for the maintenance of public credit, we may, in the course of the present year, effect, by the reduction of the five per cent to the four per cent stock, a further clear annual saving of 1,400,000*l*. It is then for parliament to determine what, under the present circumstances of the country, shall be the application of that sum. When Parliament declared by its resolution, that a sinking fund of 5,000,000*l*. was indispensable, it reserved to itself to decide at a future period, whether any excess of the fund above that sum should be applied, at compound interest or otherwise, to accelerate the reduction of our debt,—to alleviate the public burthens by a diminution of taxation—or partly to the one, and partly to the other of these objects. Under the present circumstances

of the country, I have no hesitation in saying, that, taking into consideration the pressure of the existing distress, I think we ought, at the present moment, to devote this sum of 1,400,000*l.* to the reduction of taxation, rather than direct it to the augmentation of the sinking fund, or divide it between these two objects; were it for no other purpose than to show the anxious desire of parliament to do what it can in the way of relief—and to prove its sympathy in the distresses of the country.

The question now is, assuming that the conversion of the five per cents into four per cents will place a saving of interest to the amount of 1,400,000*l.* at the disposal of parliament; and assuming that the House shall consider it most advisable to apply this sum to the remission of taxation (which they are fortunately enabled to do without any violation of their system), in what way can parliament effect that object, so as, under all the circumstances of the case, to afford the greatest relief to the existing distress? Perhaps, if this were simply a question of dry financial policy, and that we were merely to inquire as to the tax the remission of which could most rapidly be brought to bear in effecting the projected aid, I should have had some hesitation in fixing on that which I am about to mention to the House. But, after the most anxious and mature deliberation on the part of his majesty's government, it appears to them, that as malt is the article on which parliament last felt the necessity of imposing a tax—as that tax is one respecting which great anxiety seems to exist, as the repeal of a portion of the malt tax has been pointed out (whether on solid principles or not, I will not stay to consider) as the surest means of affording relief to the agricultural interest; and as such a measure appears to be the best pledge parliament can give of its inclination to grant relief whenever it possesses the power to do so—it is the intention of my right hon. friend, when the annual malt duty comes under the consideration of the House, to move to strike out the word "Malt;" the effect of which will be, to take off the duty of one shilling a bushel, or eight shillings a quarter; and thereby to relieve the country from the payment of between 1,400,000*l.* and 1,500,000*l.* per annum.

Sir, I should deeply lament if this relief were afforded by injuring the integrity of the system, so essential to the public safety and welfare, or by trenching on those funds which are indispensable for the support of that system. But that is not the case; and I have the satisfaction to add, that my right hon. friend will be able to suggest ways and means for the repayment of the duty advanced on the stock in hand; without affecting the general principle on which we have hitherto acted, and on which I trust we shall continue to act.

It is usual on occasions like this, to look forward a little to the probable operation of any measure beyond the present year; and perhaps I may be allowed to enter into such an anticipation. At the same time, I feel that although in what I have already stated, as to the present year, I am borne out by actual accounts, what I am about to state of the probable results in succeeding years, must be in some degree conjectural. I hope, therefore, in a matter necessarily involving so much uncertainty, the House will receive what I am about to state with indulgence. I certainly do contemplate, consistently with the integrity of that system which I hope parliament will determine on no account to impair, a possible additional remission of taxes in the next session of not less than another million sterling—of course reserving, if such remission should be decided on, until that period shall arrive, the consideration of the best way in which it can be made.—I hope the House will forgive me if I venture to travel one step further, and endeavour to present to them a slight sketch of what appears likely to be our progress, in the six years following the next year; always presuming that the House will not destroy the system which they have themselves established for the support of the public prosperity, before it has had sufficient scope for the attainment of its object.

The million to be remitted next year may be expected to arise in the following manner:—Greenwich hospital, 320,000*l.*; extra charge for Ireland, 350,000*l.*; arrear to Bank, 200,000*l.*; interest of five millions sinking fund, 180,000*l.*; diminution of dead expense, 80,000*l.*;—1,130,000*l.* I will not delay the House, by entering into the details of the subject, although I have the materials before me, which show the probability that there will be the means of giving a further relief, in the year after the next, of 660,000*l.*; and, in the subsequent years, of about

510,000*l.* a year; if the circumstances of the country should then continue to require a further remission of taxes in preference to applying the growing produce of this fund to a more rapid extinction of the public debt: and this, exclusive of the prospect of eventually reducing the four per cents. If we look forward to a series of six years' perseverance in the plan now proposed, of course, being aware that much must depend upon the nature of the events that may occur, the result will be this:—an immediate relief in the present year of 1,400,000*l.*; a probable additional relief in the next year of 1,000,000*l.*; and a further sum of about 500,000*l.* in the five subsequent years; making a total of above 5,000,000*l.*, exclusive of the contingency of the reduction of the four per cents, which may be taken, under favourable circumstances, as placing a sum of not less than 2,000,000*l.* more at our disposal, which, added to the 5,000,000*l.* will give us the means of remitting 7,000,000*l.* in annual taxation, if such disposition of the amount should be deemed by this House most fitting, in addition to the 18,000,000*l.* of annual taxes, which were repealed at the close of the war. In the interval, the sinking fund, continuing steadily to operate, will have applied above 30,000,000*l.* to the redemption of the public debt.

The House will, I trust, receive with indulgence this statement, which of course cannot be expected to be strictly accurate, but which is sufficiently so to show the striking contrast between the system recommended by his majesty's government, and that proposed by the hon. and learned gentleman. I shall be perfectly prepared, at some future period, to explain the nature of the data on which the calculations, the general results of which I have just communicated to the House, are founded. I know that the hon. and learned gentleman may say, that some of the materials on which I calculate prospectively, are to be equally found in his system. This is true to a certain, but to a very limited extent. No doubt, the dead expense would equally fall in whichever course was pursued. The charge of Greenwich Hospital and Ireland might equally be saved; but the new sources of relief on which I rely would be wholly extinguished by the hon. and learned gentleman's suggestion. The aid to be derived from the reduction of the higher rates of interest payable on our debt, estimated at about 3,500,000*l.* would be forfeited. The annual produce of the sinking fund, taken at 180,000*l.* per annum, could not exist when the fund itself was destroyed; nor do I conceive that the revenue would present an equal prospect of growth.

Having thus, Sir, stated to the House, the general financial position of the country, its income, expenditure, and, surplus resources; and having described the mode, in which, according to the view of his majesty's government, those resources ought now to be administered, I think I have opened to the view of parliament, largely, the means of relieving the country, and of contributing to its prosperity; not at the expense of justice and good faith, but, in a manner consonant to that proud and honourable British character, which it has always been our object to maintain. I think I have opened a progressive system of reduction in taxation, which, combined with that general prosperity which the maintenance of public credit is calculated to ensure, will bring to every subject in the realm a relief, infinitely more copious and substantial, than could result from the destructive schemes, to which the hon. and learned gentleman would have us to resort. But, sir, his majesty's government feel, that they would not have done their duty, if they had confined themselves to this view, although by far the most important, of the position of the country. They feel, that they would not have done their duty, if they had not directed their attention to consider what other and collateral aids, founded on sound and solid principles of financial and political economy, might assist in re-animating the industry and commerce of the country, in all their branches, and accelerating the march of returning prosperity. And this brings into view a question, which has been most anxiously discussed and dwelt upon both in and out of this House for, there is scarcely a single petition, that has been presented to us, which, does not, in some manner or other, allude to that question, and which does not attribute the embarrasments of the country to something connected with the state of the circulation.

On this subject, I entirely concur with the hon. baronet opposite, the member for Westminster, in entering a solemn and unqualified protest against shaking, in the slightest degree, that sound system of currency, which, so much to the honour of parliament and so much to the honour of the moral character of the country, has

been re-estabished and consecrated by the bill which was brought in by my right hon. friend near me (Mr. Peel). For although, when that measure was under discussion, I may have had shades of difference of opinion with respect to the precise period at which the resumption of cash payments might most advantageously have been made to take place, no man could be more fully persuaded than myself, that the measure was in itself most necessary and salutary; and, having happily arrived at its accomplishment, no man can feel a stronger determination than I do that it shall never be disturbed. I, therefore, most solemnly declare, that if any thing I am going to propose could be justly considered as indicating any disposition to lay a sacrilegious hand on that measure, I would be the last man in this House to stand up and make such a proposition. But, Sir, his majesty's government do conceive that, consistently with the preservation of the present standard of our currency, much relief might arise to all the industrious classes of the community, and considerable facility might be afforded to all money operations, and to none more than those in which the landed interest are engaged by somewhat increasing the floating debt of the country. I beg to disclaim all inclination on the part of his majesty's government to derive any convenience from this proposition, as a government. The House know that it is of no importance to my right hon. friend, whether he borrow the sum required to complete the supplies of the year from the sinking fund, or take 4,000,000*l*. from the Bank of England, on Exchequer bills, and the remainder from the sinking fund. The directors of the Bank, understanding that government were about to state to parliament that it considered such a measure advisable, as one of the means of relieving the distress of the country, have consented to advance a sum, not exceeding 4,000,000*l*, on Exchequer bills, bearing an interest of three per cent; stipulating, at the same time, that that advance shall be repaid by instalments at short notices, so that the Bank can at once, if necessary, command its funds, and be as ready to meet any demands upon them as if this advance had never been made.

Sir, it is no reproach to the Bank of England, when making their preparations for a return to cash payments, that they acted on a principle of extreme precaution in reducing their advances to government more perhaps than, as it now appears, was absolutely necessary. It ought to be recollected, that the Bank was, on that occasion, called upon to execute a measure of great difficulty. Even the practicability of that measure was by many persons questioned. It was supposed by some that the habits of the country were not so far reconciled to the use of a paper circulation as to preclude the possibility that a demand might be made for gold, to an extent which it would not be easy to answer. Under such circumstances, the Bank felt that a heavy responsibility rested on them; and when they were asked, what amount of their advances to his majesty's government they wished to be repaid as a preparation for their return to cash payments, they, required the re-payment of 10,000,000*l*. Undoubtedly, his majesty's government thought the Bank, on that occasion, had pushed the principle of precaution further than was necessary; but they considered that those on whom the responsibility was imposed ought to be allowed to follow the dictates of their own judgment, and that they owed it to the Bank, about to engage in so arduous a task as the restoration of the ancient metallic standard, to afford them every means of placing themselves in a situation of complete security. It is no reproach to the Bank, now to say, when the exchanges have attained their present level, and when the great measure from which so much danger was apprehended of returning to a metallic standard has been executed without convulsion, that the precautions which they thought it prudent and right to adopt, were taken on the safe side. The disposition which the country has since manifested to continue the use of a paper currency, arising, no doubt, from the manner in which public credit has been maintained, has clearly proved, that so far from being inclined to return generally to the use of gold in their dealings, the people shew a decisive preference for bank notes; for, when gold is sent into the country, its invariable tendency is, to return.

Here, Sir, is a new state of things, in which, the best of all guides, experience, justifies his majesty's government and the Bank in thinking, that some addition may be advantageously made to the unfunded debt; and therefore the Bank, as I have already stated, have agreed, on the security of Exchequer bills, bearing an interest of three per cent, repayable, if called for, by instalments, and at short notices, to place at the disposal of parliament 4,000,000*l*.

for the purpose of assisting in the relief of the present agricultural distress. "But "how," it may be asked, "is the loan thus advanced, "to have that effect?" Without going into abstruse views on the subject—without inquiring into the measures which were adopted to meet the apprehended demand for gold—without diving into the secrets of the Bank—I may observe, that any one, looking even at the surface of things, may see, that there has been, and that there is such an abundance of gold pouring in upon us, in the present state of the exchanges, as may render such an operation, in aid of the circulation, free from all danger. Should the internal circulation of this country not require the whole of this supply, and should a portion of the gold, now to be thrown into circulation by the Bank, find its way into the general circulation of Europe, no inconvenience, but the reverse, is likely to result from such a circumstance. The demand for gold, in most of the states of Europe, arising from the policy being pursued in those countries as in our own, of bringing back their circulation to a currency more or less metallic, must have had a tendency generally to raise the price of gold, and, consequently the standard of value; for inasmuch as the pressure of returning to the use of the standard must be aggravated, from such undue elevation of the price of gold—the restoration of any portion of it to the general circulation, must have a proportionably salutary effect. So far from any pressure, therefore, being to be feared from this increase of our unfunded debt, I contend, that the effect would be very salutary. Even if the whole 4,000,000*l.* were to find its way into general circulation through the supplies of the year, there would be a double and highly beneficial effect: first, the circulation of the country would be thereby fed, and the credit of the country would be rendered the more available to the degree which the existing standard would justify, for it must be recollected, that the whole of the operation would still be conducted under the control and safeguard of the gold standard; and, secondly, the price of the funds would be raised, and all the money transactions of the country facilitated; including those in which his majesty's government are about to engage, with a view to the reduction of the five per cents.—I do not mean to say, that the public funds could, or ought to be raised beyond the general standard value of capital, as employed in the various other modes to which it can be applied, but this aid to the circulation could not fail to give them that tendency to rise, which, influencing favourably all other money transactions, must open to the landed interest the prospect of effective relief, in the reduction of the interest now payable on mortgages; whilst it would enable both the merchant and the manufacturer to carry on their business upon cheaper rates of discount.

I have hitherto argued this loan from the Bank as constituting an effective relief in itself, were it simply thrown into circulation through the supplies of the year: but there is a further question for parliament to consider; and that is, whether this fund of 4,000,000*l.*, or any part of it, could possibly receive a direction more consonant to the effectual relief of the interests which suffer, were it advanced to them under any suitable regulation, in the way of loan? The hon. and learned gentleman, in his view of the state of public affairs, laid down the broad proposition, that nothing could relieve the country but the reduction of taxation; and, in his extreme anxiety that nothing should be attempted but the repeal of taxes he protested against affording relief to the agricultural classes by means of a loan; declaring that such a proposition was wholly inconsistent with the first principles of political economy. I agree with the hon. and learned member that, generally speaking, a loan from government to the subject, to enable him to carry on his private transactions, is not consistent with those sound principles which ought to regulate the proceedings of any state; and I admit, that whenever it does take place, it must be considered as the exception, and not as the rule: but I am not so absolutely devoted to the exclusive maintenance of general principles, as not to perceive that, in some instances, and under the sanction of adequate causes, they may be advantageously relaxed.

If his majesty's government, at a former period of distress, found it expedient to assist the manufacturing and commercial interests of the country by a loan of 5,000,000*l.* in Exchequer bills, I am at a loss to perceive what should deter us from rendering similar aid to the agricultural interest; if we could see our way to the equitable and useful application of such a loan, and obtain, at the same time,

adequate securities for all funds advanced, and for interest upon the same, without which I could never give my sanction to the measure. But when I look at the question in this point of view, I cannot but see, and it must be equally obvious to the House, how immediately the parallel between the manufacturing and commercial interests, and the landed interest, fails. In the case of the relief granted to the manufacturing and commercial interests, there was great tangible property to be pledged, existing in comparatively few hands, which the commissioners, who were appointed to carry that measure into effect, could, in most cases, hold in deposit till the advances were repaid. It is quite different with the agricultural interest, composed as it is of the landed proprietors and the cultivators. With respect to the former of these two, the course which first presented itself for consideration, was, to advance money on the security of mortgages on the land. But there is every reason to hope and believe that the state of the money-market is at present such, that no serious difficulty will be experienced in obtaining money on mortgage, by those who have good substantial landed security to offer. Now, if government were to adopt the plan of advancing money on mortgage at a reduced rate of interest, the effect of such a proceeding must be, either to favour particular proprietors, or, if the limits of the fund were not an obstacle to convert, too generally, mortgages in the hands of private individuals into government mortgages. I go along, therefore, with the hon. and learned gentleman in admitting, that any advance of money to the landed proprietor in the shape of a loan would be attended with much inconvenience, if not with insuperable difficulties. The difficulty of assisting the individual cultivators of the land would be found equally insurmountable. Any such attempt must necessarily involve so great a multiplicity and complexity of transactions, that the execution of it would become impracticable; and I should here observe, that in both the above cases, private property would be brought in a very objectionable degree under the process of the Crown. It undoubtedly has been under the consideration of his majesty's government, whether it might not be practicable, in some degree, to relieve the farmer from the ruinous necessity of being compelled to bring his produce prematurely to a glutted and disadvantageous market. That necessity forms, indeed, one of the most distressing characters of the pressure under which the agriculturist now labours. For although the landed proprietors have, in most cases, diminished their rents, and shewn every desire to consult the interests of their tenants in the mode of receiving them; yet that very circumstance, and the obligation they are under of regularly paying the interest of the charges on their estates, compels them to insist more peremptorily on the regular payment of those reduced rents by their tenants, than they would otherwise do; the consequence of which is, that the farmer is obliged to take his produce to market, and to sell it at a time when the market is broken down by the immense quantity thrown upon it from all quarters. In corroboration of this statement, I need only mention the fact, that the corn brought to the principal markets in the kingdom, and especially to the London market, in the early part of the present year, has been nearly double in amount of what was ever before brought within a similar period. It has been suggested, therefore, that any plan which might enable the tenant to gain time—which might at once distribute the supply more equally over the year, so as to render the prices more uniform and steady, and save the farmer from the necessity of submitting in his sales to such ruinous sacrifices, would be desirable; and the possibility has been contemplated of lending money on the produce of land, that produce being warehoused. But, after mature consideration of the difficulties attendant upon the the execution of such a loan, his majesty's government are not prepared to recommend its adoption, although I may have occasion, when I come to speak of the Corn laws, to advert to a measure of a more limited nature, and of a somewhat similar tendency.

I have opened to the House all these various views which have been successively entertained by his majesty's ministers on this subject, feeling as I do that we should not have performed our duty if we had not thoroughly investigated every proposition by which it might be practicable to relieve the existing distress of the country. But, although his majesty's government do not think it advisable to propose the adoption of any of the suggestions which I have hitherto described;

though we do not recommend the advance of a loan to the landed proprietor on the security of his land, or to the cultivator on the security of his produce, there is another, and a more limited measure, which his majesty's government conceive might prove materially beneficial to the country, and especially to those parts of it which are sustaining the greatest local pressure. However difficult, if not impracticable, it may be for the state to deal with the proprietors and the cultivators of land in their individual character, either by taking the land of the one, or the corn of the other, as a security; yet, if limited advances, to be repaid by instalments within a reasonable time, can be made to parishes, in those parts of the country suffering under the greatest degree of local distress, on the security, and in aid of the parochial rates, such advances, made to those parishes in their corporate character, and to be used solely for corporate purposes, may carry relief home to the distressed, without being justly liable to the objections on the score of impracticability or of favour to proprietors, which offer themselves against the other plans to which I have adverted. His majesty's government are disposed therefore, out of the 4,000,000*l.* to be advanced by the Bank of England, to lend, in the manner I have just described, a large proportion of the sum so borrowed, or even the whole of it, if it should appear upon further investigation, that by so doing considerable relief may be afforded to the distressed districts; and, in pursuance of this disposition, my right hon. friend near me will be prepared, on a future night, to submit to the House a proposition for authorising and enabling commissioners, upon the application of any parish assembled in vestry, to make advances on the credit of their rates; such advances to be repaid by instalments, in the course of four or five years; and not, in any case, to exceed in amount that of one year's assessment. Sir, I am quite aware of the difficulties that lie in the way even of this measure. I am quite aware that no remedy totally free from objection can be proposed on the occasion. Inconvenience may arise from the incoming and out-going of tenants. Some parties may be bound by acts to which they have not consented; and other parties may cease to be bound by acts to which they have consented. But it is obvious, that as the application for these advances must proceed in every instance from the parishes themselves, assembled in vestry, the advances will not be applied for where the advantages do not outweigh such minor objections; besides, I have no doubt but that such arrangements may be made, as will, in a great degree at least, obviate the difficulties which suggest themselves to the measure at first sight. The immediate effect of this plan, in affording relief, will be obviously that of enabling the parishes to forbear during the year of immediate pressure, from levying rates; a forbearance which must materially aid all the contributors to those rates, or, in other words, all the cultivators of the soil, and thereby carry relief to every farmer's door, in the parishes that require such an aid. Sir, I do not wish at present to go into any further developement of the details of this plan. I fairly own, on the part of his majesty's government, that if we could see our way to any just and prudent measure, which would give us the means of applying any part of the 4,000,000*l.* to be advanced by the Bank, to the direct relief of the landed interest, without involving ourselves or the country in difficulties, we should prefer it; and for this reason, that we feel we owe it to that interest to make as earnest an effort for their immediate relief, as we did for that of the manufacturing and commercial interests, when they were in a condition of similar distress: but still the nature and character of the landed interest differ so essentially from those of the manufacturing and commercial interests that his majesty's government, after the fullest deliberation, have not hitherto felt themselves enabled to propose any other measure than that which I have now opened to the House.

Sir, I am happy to state that there is only one other branch of the important subject under our consideration, to which it is necessary for me to call the attention of the House: but I should think that his majesty's government had taken a very imperfect and unsatisfactory view of the agricultural interests of the country, if we had omitted to apply our minds to the important and extensive subject of the corn laws; especially after the inquiry of last year and the minute and valuable information on that great question, furnished by the investigation of the committee appointed for that purpose. I certainly did fairly avow, in the face of parliament and of the country, when the question was

agitated last year, and when the hon. member for suffolk moved for the appointment of an agricultural committee, that although I would not oppose the appointment of that committee, but on the contrary, would attend it closely, and use my utmost endeavours to assist in arriving at some beneficial result (a pledge which I trust I fully redeemed), yet I did not see my way to any particular remedy, with sufficient clearness to justify me in becoming, in my own person, the author of such a proceeding. I did not, on that occasion, wish to inspire a hope which I did not feel. I had the less disposition to put myself forward, because I thought that the evils complained of were not only exaggerated, but that notions of possible relief were abroad, founded on no sound and solid view of the question, but departing from all those general principles, which ought ever to be kept in view by the legislature; notions, tending to hurry the public mind into the adoption of proceedings, which I knew could terminate no otherwise than in delusion and disappointment. The labours of the agricultural committee, if they have accomplished no other object, have certainly had a most important and salutary effect on the public mind, by leading it to take more just and temperate views. I believe that the period of delusion has now, in a great measure, passed by. I believe that sounder doctrines than those which were last year promulgated, have become generally prevalent; and that the moment has arrived, when, by the removal of many prejudices, the two great classes which have so long been taught to imagine themselves opposed to each other, but the interests of which, well understood, I have always been convinced were the same—I mean the landed and manufacturing classes of the community—will find it for their interest to acquiesce in the same policy with regard to the laws which are to regulate the trade in corn. I believe, that it would be as bad policy for the farmer to inflict high prices for his produce on the manufacturer, if he could do so, as it would be for the manufacturer to break down and contract the means of the farmer. who is his best customer. It has been with this conviction on my mind, that I have always contemplated those two great classes of the community. I have always considered them as having but one and the same interest; and that the only difficulty was, to satisfy them as to the point, where the welfare of both became completely and intimately blended.

While I offer these remarks to the House I cannot but congratulate them on the change of sentiment which appears to have taken place since we last met. It seems to me to be a most auspicious circumstance that the tone of the public mind has improved so greatly on this question: that the prejudices and exaggerations which formerly existed with respect to it, have subsided, and that we may now look to the adoption of more calm and solid opinions, as to the future course which it may be desirable for the public good to pursue. In what I have to suggest so the House on the subject, I must begin by fairly avowing, that on the very face of it, nothing we can do can have an immediate operation advantageous to the farmer. It is evident, that no part of the difficulties under which the farmer at present labours, arises from a want of protection against the foreign grower of corn; for, the home cultivator is already, and has been since February 1819, in possession of a monopoly of the home market. He is protected against the importation of foreign corn up to eighty shillings a quarter; while the existing market price is only fifty shillings. Of course, therefore, nothing that we can do can operate immediate relief. But his majesty's government certainly feel, after the report which has been laid on the table, and after the most mature deliberation on all the difficulties of the subject, that we should fail in our duty, if we did not propose the revival of the agricultural committee, for the purpose of enabling it to re-consider, and by some practical measure, to correct the admitted defects of the existing corn laws. I have already declared, that I did not expect any immediate relief to the farmer, from any modification of the existing law. The change might, however allay in the public mind somewhat of that anxiety and alarm, which, not unnaturally, presses upon it, with respect to the possible effects of a future opening of our ports, as the law now stands to the import of foreign corn. What I wish is, to interpose a security against those inconveniences and dangers, the possibility of the occurrence of which, is admitted on all hands. I certainly think, that after the views which have been opened by the committee, and after the admissions of all parties in condemning the law as it now stands, it is desirable that

that law should be reconsidered, for the purpose of examining into its defects, and in order to see if it be not possible to devise some modification that would guard against those injurious consequences, which, though not felt now, may be experienced at some future period. I feel the importance of this subject so sensibly, that, however anxious I am to save the time of the House, I cannot abstain from making a few observations upon it. I have already stated that I think "some modification of the existing law" desirable, and I use that expression, because I am not disposed, at this moment, to open for discussion, the abstract principles on which the corn laws are founded—principles, on which the most opposite opinions are entertained; some persons arguing in favour of a free trade in corn, while others are disposed to claim for the English farmer, an exclusive monopoly in his own market. I wish, therefore, to take the existing law as the basis of our proceedings; and, with all due regard to the various interests which ought to be considered, to endeavour to devise some modification thereof, which may sufficiently guard against the occurrence of the evils to be apprehended in its present form. Two of those evils are of such an extent and magnitude, that I am convinced parliament will not hesitate to take them into its most serious consideration. The first is, the obvious danger and mischief that might result from the sudden transition from complete and exclusive monopoly by the farmer, to unqualified and unlimited foreign supply; a transition to which, the smallest possible sum, establishing the average of eighty shillings, may at once expose us; and during which, such a quantity of foreign corn might be suddenly poured into the country that it is frightful to contemplate the probable consequences. As the law now stands, so many accidental circumstances may affect the averages on which the quarterly returns are founded, that it is impossible they can always fairly represent the state of the corn market; and it is therefore of great importance to revise and modify the system by which they are at present regulated. On this point I beg to put a case. I will suppose, that the average, taken quarterly, exceeds, by the merest trifle, the maximum price (and I repeat, that the merest trifle may constitute all the difference between the influx of an unlimited supply, and the continuance of a strict and unrelaxed monopoly) suppose it exceed, by only a single penny, the protecting price of eighty shillings a quarter, the effect would be to open our ports to the whole supply of the world for three months. It is true there is a clause which excludes all grain imported from countries between the Eyder and Bidassoa after the first six weeks of the quarter, if the average price in these six weeks fall again below eighty shillings; but whilst this exception admits the evil, it provides no adequate remedy. The proximity of these countries will enable them to pour forth all their surplus corn in the first six weeks; whilst the introduction of the whole supply from the rest of Europe, and from America, exclusive of what is lodged in the warehouses of this country, has the full period of three months to glut the market, unrestrained even by the operation of any duty whatever. All this might happen upon falling prices; and thus, at the very time when there might probably exist no real ground whatever for importation, we might be exposed to have the superabundant corn of Europe poured into this country.

We must not, however, deceive ourselves by supposing that England is the sole country which at present suffers; and that all other countries are enjoying the blessings derived from flourishing agriculture and successful commerce. We are, on the present occasion, as we have been on so many former occasions, rather the favoured spot of the world. The distresses which our agriculturists are suffering, great as I admit them to be, are infinitely less than those to which the cultivators of the soil in America, or those towards the sea coast in Europe, and still more in the interior, are at this moment exposed. The distress in the interior of Germany has arrived to such a height, in consequence of an overstocked market, as to involve all the classes of people connected with agriculture in the most serious difficulties. In Silesia, so great was the excess of produce in the last harvest, that many of the landed proprietors did not think it worth the expense of collecting and getting in; and the finest crops in the world were allowed to rot on the ground. In Bohemia, the farmer can get only an eighth of the price which he received for his corn during the war. When such large portions of the world, therefore, are thus circumstanced, do not let us show so little of the character of Englishmen as to think only of ourselves; and do not

let us be the first and loudest to complain, or be induced by a partial evil, to overlook the various and valuable blessings we still enjoy. But to return to my argument on the necessity of some modification of the law, which may prevent, if possible, any overwhelming importation of foreign corn, and make that importation, if at all required, more gradual, and commensurate with the real wants of the country, I beg to observe, that the danger, against which I am desirous to guard, is not either improbable or very remote. The changes of the seasons have of late years produced great variations in the prices of corn in this country. Even in the autumn of the last year, it was at one period very probable that the ports would be opened. In consequence of the badness of the weather, corn rose for a time with great rapidity; but, on the weather improving, the price rapidly descended. I remember that when I passed through Grantham market, in September last, on my way from Ireland, corn was selling at one hundred shillings a quarter. This is one instance of the way in which the averages may be accidentally affected; and on a question of such vital importance, as little as possible ought to be left to the influence of chance. During the first weeks which compose the average, the price of corn may be much raised by unfavourable weather; during the last week or two it may fall as much by a change of weather; and yet the whole effect of the average may be to open the ports, although at a time when such a relief is wholly uncalled for. Corn, since the month of September, rapidly declined in price, and is now at fifty shillings a quarter. I put it to the House to consider, what would have been the effect on the country, if, in consequence of any accidental circumstances, such as those to which I have alluded, the ports had been opened this autumn, and had remained open for three months. The price has been depressed to its present state in consequence of our internal surplus; but what would be our condition, how would the distresses of the agriculturists have been increased, if in the present disordered state of the equilibrium between the supply and the demand of corn throughout Europe, we had been exposed to unbounded importation? It is not extravagant to suppose that the price of wheat might have been reduced, under such circumstances, below forty shillings, to the utter ruin of the farmer and the destruction of our best interests. Under such circumstances, some precautionary measures seem to me to be indispensable. Sir, it would be premature now to go into any details on this important subject, until it has again been considered and weighed by a committee composed of those most conversant with such matters. It would be very injudicious on my part, were I to enter more minutely into the question, or to point out the exact nature of the measures which his majesty's ministers intend to propose. But, at the same time, I feel no hesitation in describing in general terms, the nature of those measures, which I shall perhaps best effect, by stating what his majesty's ministers have determined not to do. First, then, I most decidedly protest against any delusive system of imposing high duties on the importation of foreign corn:—I mean, duties of the amount which were last year so indiscreetly and unadvisedly pressed upon us in many petitions. I consider such a system as one of the worst delusions that can be practised on the public, for the fact is, that so soon as prices in this country advanced to the extent of real pressure, parliament, if they had voted such a measure, would be compelled to repeal it. His majesty's government, on the contrary, look to such a moderate scale of duty on foreign import, as whilst it would fairly compensate to the English farmer the comparatively high charges under which he cultivates, would so far regulate and restrain the import of foreign corn, as to render the supply not sudden, inordinate and overwhelming, but progressive and commensurate with the actual wants of the country. And in applying these duties, I should of course look to some reduction in the import price; partly in order to render the supply more gradual, by taking it somewhat earlier than at present, and partly by such modification of the scale as would compensate to the consumer the additional charge which an import duty, however small in amount, must have a tendency to impose.

I further wish to have it considered, (having already stated the fallacy of a single average of six weeks, determining the actual state of the internal supply) whether the interests of the agriculturist, with which eventually those of the consumer are inseparably connected, cannot be placed in some degree under the

protection of a double average. That is, whether some additional restraint, either by limitation of quantity, or increase of duty, may not be imposed on the import of foreign corn for the first six weeks or three months after the ports open, thereby not wholly excluding foreign supply, but admitting it in a more limited degree, till such time as the subsequent averages should serve to confirm or to correct the average which first opened the ports. Sir, I will not go further into the details of this suggestion. I have described the extent of the evil with which we have to cope,—I have described the nature of the remedy with which his majesty's ministers are inclined to meet it, and which consists in a modification of the existing law, rather than in any new measure. With respect to the warehousing of foreign corn, it is a system which I also certainly wish may undergo some investigation. For, although I am strongly of opinion that no fraud exists in that system, or, at least that if there be any, it is of small amount and by no means such as some persons apprehend, yet I am, for several reasons, disposed to believe, that the surveys of the warehouses are not made with so much accuracy and regularity as they might be; and in that point some improvement may take place. It also seems to me to be material, in order to bring the real state of the trade into the view of all farmers, and dealers in corn, both in this and in foreign countries, that regular returns should be weekly published in the London Gazette, stating the amount of foreign corn in the warehouses, the amount brought in and the amount carried out since the former return. There may be other measures, all tending to the same purpose, which it may be desirable to adopt. To one of them I will shortly call the attention of the House, without committing myself however at present, to any determinate opinion or judgment on the matter. Although I feel great difficulty in proposing any advance of the public money on corn warehoused, yet there does appear to me to arise out of the very system of our corn laws, a case on the part of the farmer, which calls upon parliament to protect him, if possible, from the extreme depression of prices which a glut of the market must always occasion—a depression, which must, at some periods, be expected in a country which grows, *communibus annis,* corn enough for its own consumption, and which, from the superiority of its relative prices, cannot expect to find a profitable vent for its surplus corn in the markets of the Continent. I therefore throw out the suggestion for the consideration of the House, looking at the subject, as I trust we now all look at it, with temperate and conciliatory feelings, whether it might not be prudent and politic to adopt a system of moderate encouragement to the farmer, as he no longer enjoys, as formerly, an export bounty, by giving a small monthly allowance (about equal to the interest of the capital invested, and charge for warehouse) on British corn to be warehoused, when the averaged prices were low, say under fifty-five shillings, on condition of its remaining in store till the price should rise, say to sixty-five shillings; but still leaving a power in the owner at any time to withdraw his corn from the warehouse, and to throw it into consumption, on waiving or refunding the allowance. Such a plan as this, without absolutely withdrawing grain from the market, or interposing the officer of government between the buyer and seller, might have a natural tendency to distribute the supply at an equable price throughout the year; giving the farmer the benefit of an additional purchaser in the market when prices were depressed by glut, and the consumer an additional supply when prices might considerably advance, but not to the point at which the ports would be open for foreign produce. Such a system might be at once advantageous to the farmer, whom it would secure against an extreme fall of price, and to the manufacturer, whom it would materially benefit by its tendency to cause a steady market. In what I am now saying, I beg to be understood as merely throwing out ideas with a view to their being considered. My object is, to afford a degree of encouragement to the corn market, which may guard it against too great and sudden fluctuation; and I am persuaded, that a point may be discovered at which the interests of the farmer on the one hand, and of the manufacturer on the other, may find reciprocal and permanent advantage. It is better for each to pay something more for the produce of the other at all times, and under a rule of uniform operation, than for both to be placed at the hazard of unexpected changes, which can only bring benefit for a short period to one class, by the depression of the other. It may be said,

that this is an artificial plan, and not sanctioned by sound general principles. But the whole system of our Corn Laws is artificial. The question is, whether the plan will be practically useful, and whether it may not be considered as a beneficial substitute for the old bounty on exportation. I again beg pardon of the House, for having detained them so long with the exposition of my opinions on this subject; but I really felt it right to submit to them some developement of the views which his majesty's government entertain, in proposing the re-appointment of the committee on the Corn Laws.

Sir, I feel that I have greatly, although I hope, when the nature of the subject is considered, not unjustifiably, trespassed on the patience of the House; but I could not have satisfied my own sense of duty at such a moment, if I had withheld any of those various considerations which have occupied my own mind, or which appear to me to be worthy of being reviewed by the intelligence and ability of others. In the course of my statement, I have felt called upon to allude to, and to support some of the first and most important principles of national policy—some of the most irrefragable maxims of moral conduct—maxims, from which, neither states nor individuals can ever depart, without being doomed to taste the bitter fruits of such desertion—maxims, which powerfully inculcate the sacrifice of present and fugitive, for the maintenance of future and more permanent advantages. In endeavouring to perpetuate the system of an adequate sinking fund, invariably applicable to the reduction of the national debt, I feel that I have had a sacred cause to defend—I feel that I have been treading on consecrated ground. Sir, however feeble the voice which addresses you,—however impossible it is for me to bring back to the recollection of the House the effect of that eloquence, which first induced parliament to establish the system which the honourable and learned gentleman now ventures to impugn, and proposes to us to abandon—however impossible it is for me to recall to the House, the full conviction, with which the voice of Mr. Pitt impressed on parliament the expediency of laying, in the sinking fund, the foundation of the lasting prosperity of the country—the foundation of that strength, which enabled her to persevere through all the difficulties of the arduous struggle from which she has emerged with such surpassing glory;—however impossible I feel this to be—I shall still be satisfied if I can place the measure which his majesty's present government recommend, under the venerated sanction of that illustrious individual; consecrated as his name must ever be, no less by the important truths which he established, than by the splendid acts which he achieved. I never can believe that the Commons of England, but lately arrived at the close of so triumphant a career, will consent to blast the hopes of the country, and in the very moment of victory, to cover themselves with shame by tearing down with sacrilegious hands the barriers which he raised for the protection of the public credit, and the lasting glory of the empire. I never can believe that the Commons of England, who supported that great statesman through the long, dark, and dreary career of our contest with revolutionary France, and who clung to the dying counsels which fell from his lips, in behalf of the country which he loved, and the country which he had saved—I never can believe that the Commons of England, who, notwithstanding the gloomy forebodings and counteracting efforts of the gentlemen on the other side (many of whom not only opposed, but endeavoured in every possible way, and at every period of the war, to thwart their exertions) nobly persevered, until they gained all for which they had contended—until they had emancipated Europe, and consigned its despot to the rock, on which he finally terminated his eventful life; I never can believe that the Commons of England will now be seduced by any thing that may be uttered by men, were they infinitely more eloquent than the hon. and learned gentleman and his friends, to sacrifice, at a moment of temporary public distress, all the great principles which they have hitherto so stedfastly maintained; to leave their country to seek its prosperity and greatness in the chance events of wild, visionary, and untried experiment; and to compromise its power, its safety, and its honour, by abandoning all those wise and dignified maxims of policy which carried it through the late tremendous conflict with a splendour of achievement which nothing but an act of their own can ever tarnish. Sir, I have felt myself called upon, on this solemn occasion, thus to remind parliament of the great outlines of our policy. I am fully sensible how feebly and inadequately

I have performed the task. But I have, at least, the consolation of feeling, that if the shade of that great man, whose memory I have invoked, could descend among us, and be the witness of our counsels—if his attention could once more be recalled to earthly affairs, and if he could see the Commons of England deliberating whether or not they should destroy, perhaps, his greatest work, the Sinking Fund, —although he would feel, not dismay, but disgust at the degenerate sentiment which, now that the difficulties we have to contend with are trifling, compared with those which we have surmounted, is disposed to advise the infliction of so fatal a calamity on the nation—he would, nevertheless, feel assured, that those who received and listened to his last counsels of constancy and perseverance, and who, by pursuing those counsels, have brought to a glorious termination the sanguinary war in which the country was so long engaged, will scorn to abandon his principles, under any circumstances of temptation. Sir, I am perfectly willing to commit this great cause to the decision of a tribunal in which I have implicit confidence, and to which I will never hesitate to leave the determination of whatever is dear and valuable to my country or myself—the wisdom and justice of the House of Commons. I am convinced that they are still actuated by the same spirit which has before conducted them to the accomplishment of the many mighty deeds which signalize the history of the country, and have rescued its best interests from destruction—I am convinced that they will not relinquish the fame and glory which they have hitherto acquired; but that, firmly adhering to the political principles in which they have been educated—they will, by the maintenance and establishment of public credit and consequently of the public prosperity, take the most effectual means of relieving the distresses of their constituents, and thus securely lay the foundations on which this great empire may endure to the latest posterity; a lasting monument of human wisdom, greatness, and honour.—The noble marquis concluded by moving, that returns be laid upon the table, of the revenue and expenditure, exclusive of the funded and unfunded debt, for the year ending the 5th Jan. 1821, together with similar accounts for the year ending 5th Jan. 1822; and then gave notice, that on Monday next, he would move for the revival of the agricultural committee; and that the Chancellor of the Exchequer would on a future day, bring forward a measure for enabling the Bank to issue 4,000,000*l*. on Exchequer bills in loans to different parishes; and would also submit a proposition for reducing the present amount of the duty on malt.

Mr. *Brougham* in offering himself to the House, begged to assure them, that he had listened with the utmost possible attention to the very able statement of the noble lord who had preceded him. He had listened to that noble personage with an anxiety due to the great and important question before them, and he was happy to congratulate the House on the change and amendment which had taken place in the tone and temper of the noble marquis's opening address to them on that evening. It was not long since the noble lord had taunted the Opposition side of the House, for having hastily proposed any measure of retrenchment or economy. But the noble lord had lived four days since that period, and no doubt the noble lord, had grown wiser and better from the experience afforded in the interim. From the noble lord's statements it appeared that he was now prepared to treat the question of the public distress with more gravity. They had not on that evening heard from the noble lord his usual taunts upon one set of persons, and his sneers and jokes upon another. It was gratifying to find that the noble lord had at length determined to bring some portion of his mind to bear upon the great and important question before them. It would appear, however, that the plan which the noble lord had propounded was like one of those beauties which were best seen in the dimmest light, and which he was anxious therefore not to expose to the broad glare of day. It was not easy to distinguish the features of the plan laid down by the noble lord; but as far as they could be recognized, as far as he could estimate the amount of what the noble lord intended to do for the relief of the country, he would beg leave to make a few observations upon it. The noble lord had taken a glance at futurity, and had stated, in general terms, that the destinies of all governments were at the disposal of that Power whose influence extends over all mankind; that there was no comparison between what a man held in his hand, and what he might look to from change, from accident, or from

time; and that it was principally to the interposition of Providence, that the sufferers had to look for relief. Little more did the noble lord say save this, that in the taxes upon one particular article, he had to propose a reduction of one million and a half. The noble lord, as a relief to the country in this season of unexampled distress, offered a reduction of one shilling on every bushel of malt. He offered it, it would appear, as the only remedy against the distress which weighed down and oppressed the agricultural interests of the country. The noble lord next adverted to a point on which the noble lord and himself were at issue. The noble lord had said, that, at a former period, he (Mr. B.) had drawn a much more distressing picture of the then existing distresses of the country, than any picture which, at the present moment, he could attempt to draw. He alluded to the distress which affected a great portion of the people in the year 1816; but it was material, to remind the House, that the statement to which the noble lord had alluded, took in not only the year 1816, but 1817 also. But, what did that statement amount to? He (Mr. B.) had endeavoured to show, that great individual distress had existed at that period amongst a particular class. He had stated, that that distress was so extensive, so desperate, that a number of individuals had been actually in a state of starvation, and had actually perished for want of food. He (Mr. Brougham) then alluded to the distress and misery which had prevailed in the manufacturing districts, and he might be suffered to remind the House, that there was no inconsistency in stating, that in the years 1816 and 1817, great distress was felt in the manufacturing districts, and that, at the present moment, great misery, suffering, and privation, were experienced by another order of the community. Did the noble lord doubt the fact? The situation of the labourers, their excessive poverty, the wretched and fallen state to which they were reduced, bore but too powerful a proof of the truth of that which he had asserted. Vainly, then, did the noble lord recall to the recollection of the House, that he (Mr. B.) had described the misery of the manufacturing classes in 1816 as very great. He could not pretend to say, that because one part of society was described, and justly described, to have been in a state of poverty and wretchedness at one period, that another part of society might not be reduced to a state not less wretched, not less entitled to sympathy and relief at another. The noble lord had noticed what he was pleased to call the errors of his (Mr. B's) statement in that House a few nights since, with respect to the malt-tax. That, in point of fact, he was not in error, manifestly appeared from the very papers which the noble lord had read to the House. The noble lord had said, that there was the same consumption as in the year 1792; but he did not take into his consideration the increase of population from the year 1792 to the present period, which stood as 5 to 7. His (Mr. B's) argument was simply this—that the increase of consumption could alone afford substantial relief to the farmer, and that consumption was checked because of the excess of taxation. But the noble lord, with an ease and felicity which seemed to attend him throughout his whole argument, and by the aid of which he was able to surmount every difficulty, gravely told the House, that even if a diminution in the consumption of malt had taken place, it was a matter worthy of little consideration, because, if malt was not consumed, something else would be. Yes, something else might be consumed —brickbats might be consumed; but, would that bring comfort to the farmer? would that afford him relief? He saw no relief it could bring him, save in so far as the consumption of straw, which was necessary in the manufacture of brickbats, might be taken into account. It should be recollected that he was confining himself to the distresses affecting the agricultural classes—to the growers of barley, not to the manufacturers of brickbats; and that this brickbat argument of the noble lord had no possible application. But the noble lord, in the excess of his sagacity, and with a wise and provident benevolence of heart, had found out, that tea was an admirable substitute for that good wholesome old English beverage which was produced from malt. Now, against that substitute he had the strongest objection: he objected to it upon many grounds; he would ever contend, that whilst the great body of the people consumed tea instead of beer, they consumed an article which he believed was not so wholesome—which he knew was not so British—which he was sure, in whatever quantities it might be consumed, could give no relief to the British

farmer, whatever it might do for the agriculturists of China. How was the use of that article likely to serve the British interests, and least of all the interests of the agriculturist? He knew only of one class which the increase of the consumption of that article could possibly serve—he meant the importers of tea, that was to say, the East India Company. They, and they alone, were interested in the success of that trade; unless he excepted the chancellor of the exchequer, whose scale of revenues might be extended by the high tax which he had placed upon tea. It was for the right hon. gentleman and his noble colleague to congratulate themselves on the success of that trade; it was for the East India Company to rejoice—but what benefit could it confer upon the country? It returned no profit to the British cultivator—it gave no relief to the British consumer—it tended not to the cultivation of one single acre of English land—to the poor and labouring class it brought neither health, nor comfort, nor relief. It was a thin and meagre liquid, which gave neither strength to the body nor comfort to the mind, and which the British people were now obliged to use instead of that refreshing, inspiring, and truly British beverage, which their fathers had used in the good old times of England.

He had no hesitation in saying, that the noble lord, so far from shaking the statement which he had made, had, after all his observations, left it precisely where it was, if, indeed, the noble lord's illustrations had not put that statement in a still stronger and clearer light.

He would now beg to say a word on a very material mistake which the noble lord had made as to the effect of taxes upon the industry and the property of the country. As the noble lord had commenced his speech by informing the House that he should, upon that occasion, confine himself to making his statements, and that he should upon another occasion explain the reasons upon which they were founded, he could not tell whether the noble lord did, or did not, intend to argue in future upon the principle which he had that evening laid down. The noble lord had thought fit in his wisdom to state, that all the amount of taxation paid, directly or indirectly, by the farmer, did not exceed one-seventh part of his rent. He had often heard the observation that the calculators of figures in arithmetic were more fanciful than the most imaginative poets, and that probably might be the case; but, let the fancifulness of the most nimble and dexterous ready-reckoners have been heretofore what it might, it must yield to the extreme fancifulness of the noble lord on the present occasion. On the delicate and complicated question of the operation of the distribution of taxes on the different classes of the community—a question upon which the most enlightened political economists all allowed that they could scarcely see an inch before them—a question upon which they found it almost impracticable to obtain any integral results, and upon which they never dreamed of obtaining them with the nice accuracy of fractional parts, calculated by numerators and denominators—on a question, which, in whatever way it was considered, was replete with a thousand difficulties, every one of which was almost insurmountable—on such a question the noble lord had not only jumped over all the difficulties which surrounded it, but had also, with an agility peculiarly his own, and an activity which could never be sufficiently admired, jumped to this result—that if unity were divided into seven equal parts, and one of those parts were taken, they would have a fraction expressing the precise amount of the proportion between the whole bulk of taxes paid by the farmer and the produce, gross or net, that he derived from his land. [The Marquis of Londonderry said to Mr. Brougham, across the table—"You may take it as one-fifth part of his rent, if you like."]—The noble lord said, he did not care if it were taken at one-fifth or one-seventh. He would say so too; one-fifth was quite as correct as one-seventh. The one was just as likely to be the result as the other. It was, however, too much to make so fanciful a calculation the groundwork of an answer to a statement which was founded upon clear and established principles, and which did not deal in vague and unfounded calculations; it was such a feat on the part of the noble lord as covered him (Mr. B.), not with confusion, but with wonder and admiration. [Loud cheering.] The noble lord, after making the extraordinary observation on which he had just taken the liberty of offering a few comments, proceeded to make another, which, if possible, was still more extraordinary. The observation to which he

was alluding had not been thrown out by the noble lord for the sake of rounding an elegant period, or of making a flimsy exordium to a brilliant speech; no, it was the corner-stone upon which every one of his subsequent observations rested, and was indicative of the spirit in which the whole speech had been delivered. The observation was, that the reduction of taxation would not afford the slightest relief to the suffering people of this country. The noble lord, in making that most extraordinary declaration, had thought proper, in order to lighten his vessel, and sail more comfortably, to throw over-board all the observations which he (Mr. B.) had made upon that subject on a former evening. As the noble lord had done him the honour to pay considerable attention to certain parts of the speech which he had then delivered, he could only regret that the noble lord had not paid the same attention to that part of it in which he had described the effects of taxation, not in relation to the mere sum paid into the Treasury, but in relation to the increase which it received in its various stages from the original producer of the article taxed to the consumer, forming in its progress what he had taken the liberty of calling a reduplication of taxation. All those observations the noble lord had discharged from his mind; from a fear, perhaps, that if he allowed them to remain on it, they would be found to be not quite so easy of digestion as the noble lord wished. Those observations, however, were not the only ones which the noble lord had omitted in his statement of that night to notice. He had left entirely out of his consideration the effects of taxation in raising the price of labour. Not one word had the noble lord said about taxation in that its most piercing, searching, and penetrating form; not one word had he said of the manner in which it thus diminished the profits to the producer, and increased the price to the consumer; not one word had he said of the effects which it thus produced upon the necessaries, comforts, and luxuries of every man in the community. Instead of uttering a single word upon that subject, the noble lord had told the House, that their way was, to draw a strong line of demarcation between the system which had been explained to them that evening, and the system which had been explained to them on a former evening; to trust to the vivifying and fructifying powers of the country; to look to its powers of resurrection; and, last of all, to confide in those true principles of political economy, from which every sentiment that the noble lord had uttered was an utter deviation, if, indeed, it were not intended as a violent satire. If the House followed the advice of the noble lord, and attempted to draw the strong line of demarcation which he had suggested, they must draw it between something and nothing, for the noble lord that evening had produced a regular system, and he (Mr. B.) had neither produced, nor attempted to produce on a former evening, any system at all. All he had then done was, to call upon the House to reduce the extent and expenditure of the existing system, to relieve the people from the burthens under which they were at present labouring, and to enforce, in every department of the state, retrenchments of a substantial nature, and not such as were only retrenchments in mere items, and intended for no other purpose than to swell a period, or act as clap-traps in that assembly. Such an appeal to the justice of parliament no man in his senses could call a system; and the noble lord had only called it so, for the invidious purpose of having it supposed that gentlemen on the Opposition side of the House conceived themselves to be in possession of a nostrum calculated to cure the diseases of the state. Now, to such empiricism they had never pretended: if there were any empirics in the House, it was the gentlemen opposite, who, by their exhausting, evacuating practice, had reduced the country to its present state of agony and distress. He trusted that the House would not forget the chief point, on which he and the noble lord were at issue. The noble lord maintained, that if the whole mass of taxation, as he had been pleased to term it, were swept away, and if all chance of its ever rising again to trouble the country were annihilated, no effectual relief would be afforded to the people of England in their present condition of suffering and misery. On the contrary, however, he maintained that the relief to which they had a right, as matter of justice, from their representatives, if they still wished to keep up the semblance of being the representatives of the people, and as a matter of humanity, if they turned their view to the distress in which all classes were involved—a relief from all the burthens of taxation that were not

absolutely warranted by state necessity—to which relief, by the way, they were as much entitled in a time of prosperity as in a time of adversity—as much in the flourishing state of 1792, as in the depressed state of 1822—he maintained that such a relief would be of the utmost service and assistance to all classes of the community. He maintained that the House, in the existing circumstances of the country, had not the slightest right to keep up a single man who was not wanted, to build a single frigate which was unnecessary, or to pay a single officer, either civil or military, whose services could be dispensed with. He should use the same language to the House, if the nation were in prosperity, that he now, at a time of great general suffering, used in appealing to its humanity. He should tell the House, that it was bound to economise at all times; and, whenever it could, to effect a diminution of the public imposts. He should tell it that it was bound above all things to do so now: and, wishing to follow, for his own part, the advice which he was giving others, he must say that he would not be content with any paltry reductions, which would be more reductions of show than of deed. Such was the paltry diminution of one shilling upon malt, that was now proposed to be made—a reduction which he regarded as an insult and a delusion on the country. All reductions, short of large reductions, were mere palliatives applied to the disease which was now raging throughout the country; and if they wished to act wisely, they would make such reductions as would be general in their operation; or if not general, such as would give relief to those classes who were enduring the greatest hardships and privations.

Adverting to the other part of the project disclosed to parliament by the noble lord that evening, the hon. and learned member observed, that it consisted in making savings, which the noble lord said that he had made and could continue to make, to the amount of 2,000,000*l.* annually—to be diminished, however, this year by a sum of 700,000*l.* or 800,000*l.*, which the noble lord said he wanted for Greenwich and for Ireland; and in adding these savings to the sinking fund, so as to form a total sinking fund of five millions and a quarter or thereabouts. In that part of his project, the noble lord gloried with a modesty and liberality that was peculiarly his own, and which was on that account peculiarly entertaining; he gloried, however, rather as the proxy of his right hon. colleague, the chancellor of the exchequer, than in his own personal character: he said in a voice of triumph, which it was quite delightful to hear—"Behold at last, a real sinking fund to five millions; that golden number which we have so often predicted, but which till this moment we have never yet realized: here it is, a clear surplus beyond our expenditure." Though he was at issue with the noble lord upon the point of its being a clear surplus of revenue, he would, for the sake of argument, conceive it to be such; and then he would say, "Let us do with it what will relieve the country." The noble lord, however, said, "No; we will not relieve the country—we will not take off any of its burthens—we will keep these five millions and a quarter to swell our speeches, and to flourish with them in the course of our debates; we will keep up the delusion of a sinking fund; we will, by all means, raise up the 3 per cents, and will say that the safety of England depends entirely on the rise of the funds; above all, we will keep faith with the public creditor." Keep faith with the public creditor was that which he (Mr. B.) said too. And here he might be allowed to ask the noble lord, by what right it was that he presumed that he (Mr. B.) had proclaimed principles upon that subject which were dishonourable and unjust, on the part of the English nation? Was it because he had said "Before an overwhelming necessity arises, let not even a whisper of such a thing be breathed abroad?" Did any man pretend to deny, that if a paramount overwhelming necessity should arise—a necessity which had no ears to hear, no mind to judge, and no reason to obey—a necessity which made laws, and justified the laws it made,—did any man pretend to deny, that if such a necessity should arise—and arise it might, if all means of relief were sedulously withheld from the country—they might not be compelled to adopt a measure which they all now agreed in condemning? But he had said "until that necessity exists, let no man whisper such a proposition to sully the fair fame of the nation." Was such advice calculated to lead to the violation of the compact with the public creditor? Certainly not: on the contrary, it was the men who obstinately persisted in withholding all relief, that

were by such conduct doing every thing in their power to bring on such a system as must inevitably lead to the violation of that compact. He therefore again said, "Leave that accumulating sinking fund, which has been so often and so satisfactorily exposed—that is your only way to avoid that crisis which my argument points out to you as possible to happen, but which it by no means anticipates. Above all things, reduce your taxes—make all possible retrenchment in your expenditure—and then I trust we shall outlive the day on which we are obliged to use this word "necessity;" and shall be able to view in the distance the possibility of such measures being resorted to."

He would now beg leave to say a word or two as to the origin of the sinking fund. Upon that subject, the noble lord had appealed to many valuable authorities, but chiefly to one which was certain to have great weight and influence in that House—to a man whose strength of mind and purity of conduct he respected as highly as the noble lord himself—a man who, though he had swayed the interests of England, and, to a certain degree, those of Europe, had ruled with still more despotic sway over the interests of finance. He did not doubt the success of that appeal; but he thought it came with a bad grace from those statesmen who had gone on step by step, pulling out stones from that edifice, which they called by his name, till they had scarcely left it anything but the name. But, giving to that illustrious statesman all the credit due to the system, he must still say, that he would have spurned all the little contrivances, all the vile expedients, which underlings in office had put in execution in order to continue it, but which their superiors had covertly countenanced, saying they could not help it—a thing which he at least would never have condescended to do. He repeated the assertion, that the friends of that illustrious statesman, had, piece by piece, destroyed that very system which they were always so ready to praise. The first inroad that was made upon the sinking fund, as established by Mr. Pitt, was in 1801, whilst he was yet alive. That was, however, but a slight deviation from it, when compared with those which followed. In 1813, a monstrous deviation from it took place, under the guidance of the chancellor of the exchequer, whom the noble lord had that evening held up to the admiration of the House as the golden deity of a surplus revenue of five millions. Then came repeated borrowings from it, until at last they were obliged to calculate its amount in fractions of a million, instead of having, upon Mr. Pitt's principles, a clear sinking fund of 21,000,000*l.* Indeed, some time ago there was some uncertainty whether there was any sinking fund at all. Last year it was asserted not to be more than 1,800,000*l.*; and in the present it had been unexpectedly increased to 2,000,000*l.* After such a statement, to say that gentlemen on his side of the House were the first to invade the sinking fund—to call down vengeance upon their heads for daring to touch that which ought to be considered sacred—to charge them with inconsistency, because they now called upon government to abandon it for the relief of a distressed people, was, of all the delusions, both political and arithmetical, which the noble lord had that evening endeavoured to raise, the most absurdly fanciful.

The hon. and learned member then proceeded to discuss another point in which the present advocates of the sinking fund had deviated from the principles on which Mr. Pitt had conducted it. Instead of allowing it to accumulate at compound interest, which was Mr. Pitt's principle taken from Dr. Price, they had returned to an accumulation at simple interest, on the principle adopted by sir R. Walpole. After commenting upon the inconsistency which existed between the words and actions of these admirers of Mr. Pitt's sinking fund, the hon. and learned member adverted to the rapidity with which the noble lord had passed over the retrenchments that he had stated himself prepared to make. So rapidly had the noble lord run over these items, that he defied any man to say whether there was any intention to reduce the civil list; whether there was any intention to abolish or reduce any useless places or pensions; whether there was any intention to overhaul the perquisites of office. How that had come to pass, he could not tell; whether the noble lord had intentionally omitted them, or whether they were to form a part of the statement hereafter to be given by the chancellor of the exchequer, as to the manner in which 150,000*l.* was to be saved by a reduction of offices and superannuations——

The Marquis of *Londonderry*.—They do form a part of his statement.

Mr. *Brougham* said, he had thought so, and would mention a short conversation which had occurred between himself and an hon. friend, in illustration of the reasons why he had thought so. His hon. friend, in listening to the speech of the noble lord, had asked him (Mr. B.) what had become of the retrenchments which had been promised in the opening of the speech. "Surely," said he, "the noble lord must be coming to the retrenchments which he spoke of." He (Mr. B.) replied, that his friend was very much mistaken, for the noble lord had passed by them. "Impossible," said his hon. friend, and turned round with a smile of indignation. The matter had, however, turned out just as he had stated, much to the surprise of his hon. friend, but not at all to his own; for he had grown gray in experience of the noble lord's line of policy, and was now perfectly acquainted with all the tact and tactics of his adversary. All that was to be got by abolishing useless civil places all that was to be got by abolishing those heavy burthens upon the people which were now become intolerable, all that was to be got by extending to them every relief to which they were so justly entitled, all attempts to afford them that decent comfort of which their situation wa so susceptible, and to show them that the House would not continue to mock their misery, all these manifestations of feeling towards them were to be left untried. The system of jobbing for parliamentary purposes and court influence out of the public purse, when the people were starving for want, was yet untouched. Besides these, were the ministers to overlook all that was to be gained, all that was to be secured, for still higher purposes, for more sacred interests, for renovating the British constitution, and saving it from being at length overwhelmed by the corrupt influence of ministers improperly wielding the patronage of the Crown? Why were not these attempts made, in a crisis like the present, to secure public confidence? He had heard, indeed, that one measure of reduction was contemplated by his majesty's government—a 10 per cent deduction from official salaries. This, he supposed, was to be an average offering to secure the main interest a sort of premium of insurance, which all placemen were to render or do by way of policy with the chancellor of the exchequer, in order to keep his system afloat, and to avert the dangers of the storm, which was now battering the vessel of the state. This policy was not likely to be effective. But, take it in another point of view, it was most unfair and unjust. Ten per cent might be a great deal too much, nay even 5 per cent to be deducted from the salaries of some officers. He could name many small public servants who had embarked their only capital, which was their time, their youth, their health, in the establishments to which they were attached, who had disqualified themselves by having so done from embarking their fortunes in any other pursuit, and who were now with their families lingering, rather than living, upon salaries of 80*l*. or 90*l*. a year. How would a reduction of 10 per cent affect them? It in fact would make the whole difference of their being able to exist, or unable. In many cases, 10 per cent. would be entirely too little to take off, quite incommensurate with the profits of their station, or the imperative exigency of the present crisis. But, besides that class of persons, there was a higher set, the standing tenants of profitable office, many of whom were arranged upon the benches opposite, from whom a sacrifice of 10 per cent. would be literally nothing, and quite incommensurate with the hopes, the just expectations, the demands of the people. So that the offer of 10 per cent. whilst in one way it would work injustice, would in another do nothing—would be little better than a mockery of the public suffering. Why, in the name of God, were not those great public offices filled (as he had no doubt they might always be) by volunteers, satisfied with the honour, dignity and patronage of them? Such men would be better able to discharge the duties of the great officers of the household, and adorn a constitution of which they could not be the props, except as the props of the Crown. Would those great officers adorn the constitution less if they entered them on some other principle than on that of gain—on some other principle than on that of trade—on some other principle than that of a recompence by pounds, shillings and pence? He was quite prepared to say the same of the more efficient offices of the state. He had no difficulty in saying, that he thought those offices might be better held by persons who would be content with half the present salaries. Even if the sa-

laries were not adequate to the expences of the situations, that would be no bar to the acceptance of office. For, although he was not so romantic as to suppose that any man, who for the last twenty or thirty years had received a great salary while in office, had not made money of his situation, he nevertheless believed, that with the exception of the late Mr. Perceval, and perhaps not with that exception, the same individuals who had held the offices of state during that period, would, have held them, even had the salaries been reduced a third, or even a half. That was an opinion which he had long held; and holding also the opinion, that whether in times of distress or of prosperity, not an unnecessary farthing ought to be wrung from the people by their representatives, he was positive that a temporary reduction, and he believed that a permanent reduction, might be advantageously effected. There were some offices, however, of high nature, which if touched at all, ought to be touched delicately. They were offices which required so peculiar an education, and so long a previous course of study, on the part of those filling them, that they were fully entitled to all the pecuniary advantages they enjoyed. At the risk of every kind of misrepresentation and jeering, to which, as a member of the legal profession, he knew he should lay himself open by the observation he was about to offer, he had no hesitation in declaring it to be his decided opinion, that those who held judicial appointments, were not too abundantly remunerated. When a man was made a judge, he was taken from a very lucrative practice. He had known judges, who, by becoming so, sacrificed half their usual income. Now, when it was considered how incalculably beneficial it was to the public, at any cost, to have the best qualified individuals dispensing justice from the bench, it would be felt that this was a branch of the public service, the emolument of which ought not to be touched.

He begged pardon for troubling the House so long; but he felt it necessary to make one or two remarks on the concluding part of the noble lord's speech. The next part of the plan was to borrow four millions on the security of three per cent exchequer bills, for the purpose of applying the money in some way which the noble lord did not explain with his usual perspicuity. He understood that the application of the four millions was to be two-fold; partly in the purchase of stock to raise the price of the funds (a favourite object with the gentlemen opposite, and auxiliary to their plan of paying off the five per cents.), and the remainder in aid of the poor-rates. Now really he was utterly at a loss to discover how this would in any way counteract the existing evil. The noble lord had, in his usual figurative manner, complained of the effect of pouring into the country such a rapid torrent of gold, that if it were not stemmed in its course it would be productive of incalculable mischief. To use the noble lord's own expression on a recent occasion, the noble lord seemed to have quite a hydrophobia of gold [a laugh]. Now he believed, that the ravages of such a torrent would be confined to this—that when the tide had set steadily in, and the gold had got into circulation and affected the exchanges, the overplus would set out again. The ebb would follow the flow, until that level was restored, which all the power of man could not prevent or destroy. Unless, therefore, the noble lord meant that the Bank (for what purpose he was at a loss to conjecture) was accumulating so much gold as to diminish the circulating medium all over Europe, and that the four millions of exchequer bills were to be issued to make up that deficiency, he could not conceive what possible ill effect would be produced. The noble lord, however, forgot that the Bank could not issue gold beyond a certain amount. If they re-issued the gold, it would not remain in the country; and as long as paper was convertible into gold, it would be utterly impossible for the noble lord, with all his power over the finances of the country, to derange or impede the unerring, unalterable, and inevitable proportions which the laws of nature assigned to regulate her own level. Another Bank-restriction act would, he knew, do it; but who would attempt to revive a measure, from the baneful effects of which the country was at this day so heavily suffering? That part of the noble lord's plan was therefore quite nugatory, and the second part of it was worse than nugatory, for it was mischievous. To control the operation of the circulation of gold was impracticable enough, according to the noble lord's plan; but to hear him offer to lend all the parishes of the kingdom specific sums of money in aid of the poor-rates, was in the highest degree astonishing! To hear that such a proposition, if carried into effect,

could produce any thing, save wanton extravagance, attended by great mischief, aggravating all the previously existing evils, was to him most wonderful, albeit he was not unaccustomed to the marvellous statements occasionally delivered by the noble lord. To hear the noble lord gravely and seriously dole out this project to the country gentlemen as a remedy or a relief, was, even from him, almost as miraculous as the most visionary measure which it was possible for any human being to propose on the present occasion. Did the House expect him to argue the folly of such a scheme? Supposing for a moment that this plan was put in operation, must not the man who was to be relieved, because he was unable to pay his rates this year, be prepared with security to pay them doubly (that is, with the fresh rates) in the ensuing year, with interest, of course, with the cost of every sort of waste in the management of these funds in the hands to which they were to be intrusted? All this accumulation of cost the borrower must be prepared to meet after the lapse of a year! Silly as was the plan of lending, first contemplated by ministers—that plan which was scouted on all sides the moment it was announced, abandoned even by the inventor himself, and disowned the moment after he proposed it—ludicrous as that plan undoubtedly was, of lending Exchequer bills to the country gentlemen, it was not half so absurd as the present proposition. The first plan was, to confide the money into the hands of those who were interested in its economical application; but the new plan was, to intrust it to the discretion and responsibility of overseers and trustees for the poor, who were annually elected, and alone annually responsible. The noble lord's plan rose, step by step to the climax of absurdity. He was to run the accounts of all the parishes of the kingdom into one, to enable them to pay doubly next year what they could not singly in the present; and this miracle was to be accomplished through the same careful, disinterested, judicious, and responsible overseers, who were, in addition to their other labours, to have the power of applying a portion of the funds confided to them for the completion of useful public works. Better would it be, that the noble lord should, as he once said, recommend the application of the money to digging holes and filling them up again, than direct its expenditure in the way he had suggested. If a public work were wanting, and the parish could afford to undertake it (and if they could not, why commence it?), there was no doubt it would proceed, if it were deemed beneficial, without the noble lord's aid. The parishioners, in such a case, would manage their own interests much better than the noble lord could for them; but if he, with his authority, came forward to stimulate them, by the use of the public money, to undertake expensive projects before they could themselves afford them, the inevitable consequence would be, to introduce parochially the same great and lavish profusion which prevailed in the public administration of the general interests of the country—to reiterate throughout every parish of the country, as much extravagant waste of public money, as he, on a former evening, had given them a specimen of, when he referred to the details of the finance report.

He had now detained them too long in dwelling upon the complicated parts of this diffuse subject. He earnestly besought the House and the gentlemen of England at length to open their eyes to their own situation, and trust to themselves for the management of their own concerns. Let them continue, if they would, to repose the same confidence they had done in his majesty's ministers let these ministers retain their offices. God forbid that any other set of men should covet their places! He no more now thought of seeing successors to them, than he did two years ago, when he called the attention of that House, in the hope of their cautioning ministers by their interposing voice, and driving them from the wanton folly and countless perils of the Queen's bill. In the same tone, and with no desire of displacing them, he now solemnly conjured the country gentlemen to stay the proffered measures of ministers, and make them substitute in their place others better adapted to the condition of the kingdom. Let those ministers still receive the confidence of parliament; but let them at such a crisis be compelled to show that they deserve it. Let the House, by a timely interposition, save themselves, and by doing so save their country. Let them uphold the public credit, which was in danger, not from the visionary schemes of innovators, but from the fatal tendency of the noble lord's measures. The gentlemen of England might now interfere, in perfect consistency with their past princi-

ples. It was only for them to speak, and the noble lord would feel himself bound to obey. They stood in a situation of great and momentous responsibility; for through the ministers in whom they confided, they had now an opportunity of saving their country. Let them reflect upon the consequences of an unopposing and uninterrupted confidence? They had believed too long, they had trusted too implicitly in state empirics, who, upon the effect of artfully raised alarms, had built the fabric of their power. At one moment the alarm was, that Napoleon would take their money—at another that the radicals would take their constitution. These state empirics drew their sole authority from alarm—their only specific was endless evacuation. The safety of the country hinged more than it had ever done upon any former occasion, on the decision which the country gentlemen were prepared to adopt upon the discussion of that evening. He earnestly implored them to pause before they rashly adopted the plan which had been developed to them by the noble lord that evening. He invoked the wisdom of heaven to guide them, and he earnestly implored that his humble and solemn prayer might not be urged in vain.

Mr. *Huskisson* began by remarking, that the motion then before the House was simply for an account, to the production of which there could be no possible objection. But inasmuch as the comprehensive speech of his noble friend (lord Londonderry), who had introduced that motion, necessarily embraced topics similar to those which had been brought under the view of the House by an hon. and learned gentleman (Mr. Brougham) on a preceding day, and again that evening, the present discussion might be considered in the light of an adjourned debate upon the nature and causes of the present distress. He was the more at liberty to look at it in that point of view, without violating either the forms or the rules of the House, as the hon. and learned gentleman's motion, on Monday last, had been met, and most properly disposed of, not upon its merits, but by the previous question. That motion, however, had answered the hon. and learned gentleman's purpose. It enabled him to range over the whole manor of political economy, to fire his shots at random, and then to day, when the minister of the Crown was obliged to go over the same beat, the hon. and learned gentleman came forward, in no very sportsman-like manner, to claim as his own the fruits of the noble lord's more steady pursuit. That the hon. and learned gentleman, however, was mistaken in supposing that the noble lord's plans had been changed, in consequence of his (Mr. B.) speech, he (Mr. H.) could assure him, from his own personal knowledge; but, independently of his assertion, he would leave to the House to determine, considering the circumstances under which the hon. and learned gentleman had made his motion, whether it was not more probable that the object of his speech had been to anticipate the measures of government, than that those measures, adopted after long and mature deliberation, had been altered to accommodate themselves to the impression made by the speech of the hon. and learned member. Leaving him, however, in the enjoyment of this fancied triumph, he (Mr. H.) should think himself at liberty, in rising to state his own view of our present difficulties, to refer also to the hon. and learned member's speech of the former night, as far as it related to the subject of the present discussion. He felt this to be the more necessary, whatever might be the indiscretion of entering upon so wide a field, and the indisposition of the House to attend to matters necessarily dry and uninviting, as he had never heard a speech more abounding in mistaken assertions, more fraught with erroneous principles and contradictory inferences, more pregnant with alarm, mischief and danger, or more calculated to mislead the judgment by a delusive appeal to the prejudices and sufferings of the people; and to hurry parliament itself into a course which, if once entered upon, it would be too late to retrace, however much they might afterwards deplore their error. He did not ascribe this character to the hon. and learned gentleman's views, under the influence of party spirit—far from it, his wish was, as much as possible, to keep the mighty interests at stake out of the range of party feeling. Looking to the complicated relationships existing between the landed interest and all the other great interests of the country, and to the manifold difficulties of the subject, he could wish gentlemen to come to its examination in that House as calmly and dispassionately as they would to a similar discussion in the closet. This was the course which he was determined to pursue, stating fearlessly his own impressions, with the

greatest deference certainly to the judgment of others with whom he had the misfortune to differ, either in or out of parliament, but without any personal consideration, except that of regret at the existence of any such difference between their sentiments and his own.

When the subject to be considered is the *present* distress, it is natural to look back to periods of *past* distress, in the hope that, by a reference to former sufferings, some useful lessons of experience, some valuable inferences, and some monitory cautions may be derived, to serve as a guide to carry us through the straits and difficulties of the present moment. Without going into a long detail, or to remote events, he could wish gentlemen to bear in mind that, in most instances of former severe distress, we have had to encounter evils (and those evils attended with symptoms and dangers) which fortunately do not press upon us at this moment. Let them recall to their recollection the heart-rending accounts which, on former occasions, have reached us from the population of our manufacturing and trading districts. How long is it since the House was told, and told with too much truth, that a considerable proportion of those condensed masses of the people were destitute of employment or resource, almost perishing in the streets for want of food or clothing, having sold piece-meal their furniture to sustain life; that the manufactories were closed, the prisons overflowing, the work-houses crowded to excess, the shipping of the country unemployed and rotting in port? It is impossible to have forgotten the period when in those districts, misery was so general and so urgent, that neither the compulsory levies of the poor rates, nor the liberal aid of voluntary benevolence could adequately administer to its relief; when that misery, goaded on by public agitators, was rushing into acts of desperation; when life and property were equally insecure, —at least, when they could not be protected by the ordinary administration of law; and when expensive military precautions and new laws became, therefore, necessary, to preserve the public Peace. What, in those perilous times which followed so rapidly upon the restoration of Peace, was the language of the same men, who had so steadily and systematically foretold the defeat and humiliation of our arms during the whole progress of the war? The trade of foreign prophecy was fortunately at an end, but faithful to their vocation, they entered upon the new field opened to them by our domestic difficulties. These difficulties, we were told, were the necessary consequences of taxation and high prices—that we had saved Europe, that we had acquired military glory indeed, but that the price had been the ruin of England —that in this country the expense of living was so great we could no longer manufacture or navigate in competition with other nations—that our manufacturing and trading capitals would seek employment in less burthened countries —that the middle classes would migrate to live cheaper and better abroad, and that the bulk of our industrious population would in consequence be left destitute from want of employment. The manufacturing population, assured by these prophets of misfortune, that their then misery was only the beginning of the still greater privations which awaited them, were further told, that the magnitude of the public debt was the foundation of all the evils under which they laboured— that this debt was the creature of a corrupt parliament; and that the alternative was, on the one hand, ruin and starvation, or on the other, the annihilation of the "pretended national debt," and a radical reform of the House of Commons. These were the only remedies at that time; they are the only remedies of the same class of politicians for our agricultural difficulties at the present moment. If any one doubt this, let him compare the proceedings of all the popular meetings about four years ago, in the manufacturing parts of the kingdom, with the speeches at several of the meetings lately called in the agricultural districts. He will find in both cases the same doctrines inculcated, in many instances too, by the same individuals, and adopted by those who listened to them, as the *panacea* for all their difficulties. But our manufacturing distress was attended with alarming symptoms which excited apprehension even among men not given to despond. Consumption had diminished, and was rapidly diminishing —the revenue was falling off from week to week, and from quarter to quarter—public credit was very low—private credit out of the question, upon the best securities, within the limits of legal interest. These certainly were indications of the country being in a labouring, if not in a declining state. The argument, therefore, of those who took a gloomy view of our af-

fairs was at least intelligible, and the conclusion consistent with the argument, although in the degree it might be pushed too far. In substance the argument was this—taxation has a tendency to raise prices—the rise of prices to render labour dear—and dear labour to drive capital to seek more profitable employment elsewhere. But that taxation can be the cause of low prices, and, above all, of the present low price of articles of universal demand and consumption, in respect of which the grower has the monopoly of the home market, is one of the strangest paradoxes which the wit of man ever devised.

After this retrospect to the remedies proposed for the late distress in the manufacturing and trading districts, it is natural to ask, has the national debt been annihilated? Has the parliament been remodelled? Has the sinking fund been taken away? Have taxes been repealed? Or, without recurring to any of these expedients, have the glut and stagnation ceased? Has manufacturing industry recovered? Has public credit been improved? Is private credit flourishing? Is the revenue progressively growing better? Is the population of Lancashire, Yorkshire and the other manufacturing counties fully employed, cheerful, loyal, obedient to the laws, contented and happy? Has their increased ability to provide for their wants led to an increase of consumption, and is increasing consumption every day operating to relieve us from the excess of raw produce which now gluts our markets? This is not mere theory or speculation. The proofs of this happy change are to be found in facts and figures, which cannot deceive, though the hon. and learned gentleman, in talking of consumption and revenue, hinted an opinion, that the increase could not be real; for which, however, he could state no better reason than this, that it did not accord with his preconceived theory, or his preconceived appeal to the feelings of the suffering part of the community. Better, and more just, would have been the application of his eloquence had he said to the landed interest, "In the "present contented and improved condi- "tion of these populous districts, in the "diminution of crime and misery, in the "ease with which the laws are adminis- "tered, in the security and peace which "the manufacturers now enjoy, in their "growing prosperity, and in the cessation "of all the anxiety, expense and danger "which attended their former state, there "is something which has a tendency to "compensate to your better feelings, at "least, for the depression under which "you now labour; and be assured, the "improved condition of these classes, "their augmented means of consumption, "are the sure harbingers of an improve- "ment in your own situation."

The temporary calamities brought upon the country by the late stagnation of our manufactures, have been attended with this good effect:—that, in seeking for remedies, the public mind of the country, and the mind of parliament, have been turned to the merits of what has been called our mercantile system, with its balance of trade, its balance of prohibitions and protections, and checks and bounties, and all the complicated and confused machinery by which the interests of commerce have been impeded instead of being promoted:—that in both Houses of parliament we have had committees to investigate the merits of that system, and that the result of their inquiries, aided by discussions out of doors, has been the diffusion of more liberal and enlightened views upon these important points. Already we have seen the fruits of these researches in the measures proposed last session by the chairman of the committee of foreign trade (Mr. Wallace) for the gradual relaxation of this system of restraint:—a relaxation which, besides its immediate benefits, in multiplying the enjoyments and extending the intercourse of civilized society, would be attended with the future advantage of abating those grounds of national jealousies and irritation which have too frequently arisen between this and other states on commercial questions—of leading us and them to form a juster estimate of those causes of hostility which, during the last century, were too often engendered by those jealousies and irritations, and thereby (co-operating with the general progress of knowledge, and the increasing controul which public opinion exercises over the conduct even of despotic governments) to render that greatest of all calamities, war, less frequent in the world.

In like manner there is reason to hope, that the difficulties of the present time have tended, through the investigation in parliament and discussions out of doors, and will still further conduce, to remove many of the prejudices and errors which

have existed on the subject of the corn laws. The ultimate result, he trusted, would be such an alteration in those laws as would protect both the grower and the consumer from the evils to which they are alternately liable under the present system.

If it can now no longer be denied that the manufacturing distress of the years 1816 and 1817 was produced by previous over-trading, combined with the altered value of the currency; it remains to be seen, whether causes, in a great degree similar, have not mainly contributed to the present depression of our agriculture. The excess of supply in all the principal markets proves the redundancy of produce; and that redundancy, together with the improved value of money, is quite sufficient to account for the present low prices. That this superabundant production is of our own growth is also undeniable. To this state the country has been gradually approaching for many years. At the breaking out of the war in 1793, our average growth of corn was certainly below our consumption. The waste of war, the great purchases of government, and the difficulties which a state of hostility threw in the way of the foreign supply, by enhancing the price of imported corn, gave the first stimulus to an extension of our own cultivation. That stimulus was greatly aided by the bad harvests which preceded the first stoppage of the Bank in 1797, and by the still more deficient crops which followed that event, in 1799 and 1800. Before the latter period the diminishing value of money, consequent upon the restriction of cash payments, afforded great additional encouragement and facility to the ardent spirit of speculation which natural causes had already created in agriculture. This artificial excitement continued to operate so long as the value of money continued to decrease, that is, till the conclusion of the war. That excessive speculation is one of the concomitant evils of any system which rapidly lowers the value of money is an undeniable proposition. In what manner this effect is produced by depreciation is a question which may be passed over in this discussion; but its consequences may be traced in the present glut of produce. It is the cumulative result of the facility with which money or credit was procured to bring barren tracts into cultivation, and to draw a greater produce from lands previously cultivated. If in both these pursuits speculation has been carried too far, the consequences must be the same as in over-manufacturing and over-trading—to the speculators a loss—to the consumers, the temporary benefit of prices lower than those at which their wants can be permanently supplied—that the latter will be able to consume somewhat more, and the former disabled or deterred from producing as much as heretofore, until the supply adjusts itself to the demand. There is, however, in this respect, one material difference between manufactures and agriculture greatly to the disadvantage of the latter. Capitals embarked in the cultivation of the soil are more slow in producing the expected returns, and cannot so easily be withdrawn, or turned into some other channel of employment. Should the seasons continue favourable, the glut in agriculture, therefore, may be of longer duration than in other branches of our national industry, and the more so, as it is an excess no part of which is likely to find a vent in exportation.

If no alteration had been made in our corn trade with Ireland, probably the pressure of this glut might never have been felt, or felt only in a very slight degree, by the English grower. He did not anticipate the immense change which has been produced by the law of 1806. His improvements proceeded upon calculations which did not allow for the prolific powers of the more fertile soils of Ireland. He did not foresee that by the time those expensive improvements would be in their full bearing, we should be furnished with an annual supply from that country exceeding the average import of foreign corn from all parts of the world before the introduction of that law. This however is the fact. The present depression is the result of the competition created by an excess in both countries, a competition the more severely felt by both, as they have to struggle at the same time with the increased value of money.

The corn bill of 1815, however well intended, has certainly contributed to aggravate the present distress. It was passed under an impression of the inability of this country to raise corn enough for its own consumption. The effect of that impression was a pretty general belief, confirmed by the decided opinions of great authorities who opposed the bill in both Houses of parlia-

ment, that the import price of eighty shillings a quarter would thenceforward be the *minimum* price of wheat in England. The consequence was, that prospective calculations, either of improvement, or for the letting of land, were formed very much upon these assumptions; and as the import price was stated to be the lowest price, which, according to the doctrine of that day, would remunerate the British grower, it was considered that up to 80 shillings remuneration was secured, and all above it would be profit. The calculation would not have been disappointed, had the *data* been correct, bu the country was then rapidly advancing to a state, in which its produce would exceed its consumption; and the erroneous consequences of this calculation, joined to two or three productive harvests, have led to the present depression.

If any man can doubt that excessive production has materially contributed to the fall of prices, let him compare the quantity of corn sent for sale to Mark-lane, and to every other principal market in the kingdom, for the last twelve, and still more, for the last six months, with the quantity sent at any former periods of corresponding duration. Low price might be the effect of the increased value of money unaided by other causes; but increased quantity does not depend upon the alteration in the currency. A constantly overwhelming supply, concomitant with an increased consumption (and both these facts admit of positive proof) kept up for a considerable period, can only be the effect of redundance. It is true that the supply may lately have been somewhat accelerated by the poverty of many of the farmers. This may have been the case for a few months after the harvest. But the average quantity for a whole year cannot be influenced by this temporary cause. It can only be explained by a general excess of production, of the extent of which some idea may be formed from the fact that the whole supply in Mark-lane, for the last year, has exceeded by nearly one third the supply of the year preceding, and that in the last quarter the quantity has been very nearly double that of the quantity in the corresponding period of the last year. This excess of production has been the subject of much idle declamation at meetings out of doors. It has been said, "who ever heard of plenty as an evil, or of a people brought to the brink of ruin by abundance?" Plenty has never been described as an abstract or general evil, or the whole nation as distressed by abundance. The possession of this blessing brings with it innumerable comforts and advantages to the consumer. Cheapness is the effect of plenty, and if that cheapness be now in part at the expense of the grower, is he to repine at the bounty of Providence, because it is the natural order of things that his speculation, like all others, is liable to temporary excess and derangement?— or if not privileged against the course of nature, is he alone to be indemnified at the expense of the community, against the occasional contingencies in a great degree brought upon himself by the effect of those very corn laws to which he has resorted for his own special protection? Can a provident legislature yield to such an expectation? Will it not rather say to the agriculturist, as to any other speculator, "whatever we may feel for your disappointment, every man must abide the event of his own calculations."

If, however, upon some mistaken principle, a positive monopoly of the Corn market is habitually to be preserved to the British grower, and the people to be precluded from resorting to foreign supply, except occasionally to guard themselves against existing dearth, then, indeed, it may be a question, whether for the interest of the people themselves, the inconveniences of this vicious system, alternately visiting the grower and the consumer, may not in some degree be palliated by other artificial expedients, though in principle scarcely less objectionable than the system itself. If the tendency of excess, in working its own cure, be to produce deficiency; and if both excess and deficiency be liable to be aggravated by the fluctuations of the seasons, it may be deserving of consideration, whether, in the present state of our corn laws, some remedy for the former, and some guard against the latter, may not be found in the plan of a bounty upon the warehousing of British corn, suggested by the noble marquis, when the markets should be glutted, and corn below a certain price. A moderate sacrifice for this purpose may perhaps tend to prevent extreme depression at one time, and extreme dearness at another; and, by the latter advantage compensate to the consumer in seasons of scarcity, the benefit conferred upon the grower in seasons of redundancy. A

bounty of this description would be more fair, in reference to the different classes of the community, as well as less expensive to the state, than the old system of a bounty upon exportation; but still it is a measure which, if possible, should be avoided. It will be for the House hereafter to consider, whether it be not a wiser course to revise a defective law, by getting rid of its acknowledged evils, rather than to leave them in full operation, for the chance or expectation of trying how far they can be obviated by a counteracting expedient; of which the best that can be said is, that if we are to continue to labour under the disease, that expedient may possibly prove, if not an antidote, at least a palliative, of some of its worst consequences.

Before he proceeded to offer a few remarks on the state of the currency, as connected with the present distress, he felt it necessary to advert to the hon. and learned gentleman's grievance, that he had not been placed upon the Bank committee of 1819. From the moving accents and subdued tone, in which the hon. and learned gentleman complained of the refusal which he had met with on that occasion, he (Mr. H.) felt, if not compassion for his disappointment, at least regret for the omission of his name; especially when he mysteriously hinted, that, had he been upon that committee, all the inconveniences and pressure which have resulted from the resumption of cash payments might have been greatly palliated, if not altogether avoided. After this declaration, he had listened with more than ordinary attention to all that fell from the hon. and learned gentleman, expecting every moment the solution of this mysterious intimation, and to find himself, and those who laboured with him in the committee, overwhelmed with compunction for having ventured upon a Report without the benefit of the hon. and learned gentleman's counsel and assistance. But, after many circumlocutions, the only light which the hon. and learned gentleman had thrown upon the subject was this, "that the evil, after all, was the departing from the standard in 1797." Wonderful discovery! What an *Iliad* of woes might have been saved to this country if those words, instead of escaping from the lips of the hon. and learned member in 1822, could have found vent in 1819!

But when the hon. and learned member did at last come forward, at the twelfth hour, with his marvellous proposition, not more astounding from its immediate practical importance, than new as a discovery, he seemed conscious that a heavy responsibility might be cast upon him, on the score of public duty, for having kept the secret so long in his own bosom. He felt that it might have been divulged, if not to the committee up stairs, at least to the House during the discussion of the Report, and the measures grounded upon it in 1819. He therefore very properly protected himself from this reproach, by reminding us that he was prevented by illness from attending the House during those proceedings. The future philosopher, in reading the history of these eventful times, may find in this misfortune, as in the original stoppage of the Bank, a proof how much the misery or happiness of nations turns upon some accident not much noticed at the time, because its influence of good or evil is not then foreseen. For ourselves of the present day, we may deplore the tardiness of the hon. and learned gentleman in promulgating his discovery; but that feeling will now be as unavailing to relieve the distresses of the country, as the regret with which we have all heard of that most inopportune illness, by the effect of which we were unfortunately deprived of that discovery at the critical period of 1819.

In the hon. and learned gentleman's view of the causes of our present difficulties, it suits his purpose to lay great stress upon the fluctuations of the currency, and he has given us many calculations, not very new, to shew the extent of the depreciation at different periods. To prove that during a great part of the war the currency was really depreciated is now become unnecessary. The fact is admitted, and the arguments and principles of those who contended for it in 1810, are no longer controverted. But it is rather curious that the new converts, those who stoutly denied depreciation when it most glaringly existed, should now be the most strenuous to exaggerate the extent to which it was then carried. When Gold was at 5*l.* an ounce, the mortgagee, the annuitant, the public creditor, were told that they had nothing to complain of; and now they are told by the same parties, that they are only entitled to three fourths of their nominal claims, and for this curious reason, that they are at last relieved from the loss which they

sustained, for many years, from having been paid their incomes in money depreciated 25 per cent. But this is an exaggerated statement of their loss. There can be no other measure of their loss from depreciation than the excess of the market above the standard or coinage price of gold, and if this be taken as the measure, the average of the whole period between 1797 and 1819 would not amount to near 25 per cent.—It did not exceed five, as has been justly observed by the hon. member for Portarlington, at the date of Mr. Peel's Bill. But then we must not confound *depreciation* with a *diminution* in the value of money. Quite independent of natural causes, such as an increased supply of the precious metals, there may be a diminution in the value of money, and to a considerable extent, without its being depreciated; and, in like manner, its value may increase without any alteration in the standard. Every contrivance which tends to economize the use of the precious metals, or to provide a substitute for them in the shape of voluntary credit, tends to diminish the value of money. A diminution of value from these causes, involving no injustice to any one, is attended with great benefits to the community. Much of the prosperity of England, since the beginning of the late reign, may be ascribed to the legitimate contrivances, by which this diminution was gradually effected and extended, in all the various modes of verbal, book, and circulating credits. This is one of the advantages of accumulating wealth, of stable institutions, and provident laws, affording a high degree of security to property in all its various modifications. But this diminution in the value of money could not be in progress in one country without its being more or less felt by all; not only in proportion as other countries could avail themselves of the same means of credit and economy in the use of the precious metals, but also because in proportion to the gradual extension of those means in any particular country, is that country enabled to dispense with a part of its metallic currency, which, diffusing itself over the circulation of the remainder of the world, tends every where to lower the value of gold and silver in relation to all other commodities. This may appear abstruse, but it is important to the understanding of the present subject. Before the Bank restriction, England had done much to economize the use of coin, Scotland still more, and Ireland far less than England. In Ireland gold was the principal medium of payments. In Scotland, where notes as low as one pound had long been in use, it entered for very little into the pecuniary transactions of the country—in England it still formed a considerable part of our circulation, there being then no circulating paper under five, and only to a small extent, under ten pounds. The first effect of the restriction was, to add to the paper circulation by enlarged issues, not only from the national Banks of England and Ireland, but also from all the country Banks. This addition continued gradually to increase, and especially in the notes under five pounds. Every increase for the first two or three years was a *diminution* in the value of money, but not a *depreciation.* Why? Because the gold left the country, as the paper became its substitute, and by this process, the exchanges were kept at or near *Par.* The effect of this exportation of our coin was every where to lower the value of money, and by so doing, to keep it upon a level with its diminished value in this country. In the progress of this operation the united kingdom was drained of all its gold. There would however have been no real depreciation of the paper substituted in its stead, if, by imposing proper limits upon the issues of that paper, the par of exchange with foreign countries (which is necessarily equivalent with the standard of the gold coin in this country) had been made the criterion of its value. But the issues of paper not being confined within those limits, depreciation took place. The consequence, therefore, of the Bank restriction was two-fold—1st, a diminution in the value of money generally, but without depreciation, and 2dly, a depreciation specially superadded in this country, the degree of which at any particular period was the difference between the standard and the market-price of gold. By the first result, the price of commodities, including of course all the raw productions of the soil, was raised generally. By the second, this general rise of prices was carried still further in this country, in proportion to the depreciation. The actual depreciation, therefore, as it was not the sole cause of the rise of prices (speaking now of that rise only in as far as it was influenced by changes in the value of money) during the war, so it cannot be taken as the measure of the fall of prices since 1819, unless

we could have got rid of the depreciation without recalling into our own use a part of the gold which had been exported, or in any degree diminishing the extent in which credit had become a substitute for actual payments. That fall must be still greater, if, instead of importing gold for circulation here, the greatest part of it has been withdrawn from circulation in other countries, to be buried in the vaults and cellars of the Bank. The proportion of the rise of prices generally during the war, and of fall since the peace, not in England only, but in all other countries, from these alternate operations, may be difficult to estimate; but it must be considerable; and the more so, as other countries, as well as England, had also a depreciated paper, and have since endeavoured to replace it by a metallic currency. But even diminution in the value of money, without depreciation, and afterwards depreciation superadded, do not afford a just measure of the actual rise of prices, and especially of the rent of land in this country during the war. To these causes must be added the effect of excessive speculation. It is true that this excessive speculation had its foundation in the diminishing value of money; but when the farmer had saved a few thousand pounds, was it not natural that he should wish to lay out his capital in the purchase of land, that land upon which he had realized an independance, and of which the rent and fee simple had at least doubled within his recollection? For the same reason, was it not natural that the landlord should grasp at every opportunity of adding to the number of his acres; and that he again should be met in competition by the land-jobber, ready to adventure his capital in the same market, as affording the best prospect of assured future profit? In this state of general delusion, was it surprising that tenants were ready to embark in improvements and to take leases not founded upon the calculation even of existing prices, but in the sanguine hope of prospective profits, to be realized by a future rise before the end of their respective terms? And what was the state of the money market whilst all this speculation was going on? With depreciation guaranteed by law, the Country Banks had every facility to lend; the farmer, the land-owner, the jobber every temptation to borrow. Can we wonder at the extent of the revulsion? If we are unable to rescue many of its victims from the ruin which it has brought upon them, at least let it be a warning never to be forgotten, against any future tampering with the standard value of the currency.

But has nothing been omitted which was within our power, to mitigate the pressure arising from the restoration of our currency? If the view and the principles which he had now submitted be correct, he must say that every thing which might have been done, had not been done, for that purpose. Looking with apprehension to the difficulty of reverting to a metallic currency, he had stated his suggestions more fully in the Bank committee. They did not differ very materially from those of the hon. member for Portarlington. It was his (Mr. H.) wish that we should have a gold coin, as a medium of small payments in the common ready-money dealings of the community, instead of the one pound notes of the Bank of England; and for reasons with which he would not trouble the House, he recommended that there should be a small *seignorage* taken upon that coin, as there is upon the silver, at least equal to the expense of coinage. The amount of such a coin requisite for the purposes which he had described would not be considerable, at the most seven or eight millions; as it was no part of his plan to interfere with the circulation of Country Banks, except by such regulations and encouragement as might conduce to their increased stability and security. Beyond that amount of seven or eight millions, gold could be of no use in this country as coin, and the only other purpose for which it could be wanted was, as a check and regulator to maintain the standard of the currency. That standard, he agreed with the hon. member for Portarlington, would be most perfectly secured by the Bank paying its notes, not in coin, but in gold bullion at the price of 3*l.* 17*s.* 10½*d.* an ounce. The quantity requisite for this purpose, he also agreed with him, being only the amount requisite to balance the occasional fluctuations of the exchange, need not be large;—an amount very considerably less than that which he apprehended was now hoarded by the Bank. Had this principle been acted upon, the foreign exchanges could not have been for more than two years constantly and greatly in favor of this country, a proof, as is observed in the report of the Agricultural committee, that the value of money here has been kept artificially above the *par* even of the

increased value of the money of other countries; for there is nothing which, in the natural state of things, finds its level with more celerity and ease than the course of exchanges between different countries. He was therefore warranted in concluding that the pressure had been accelerated by the mode, and aggravated by the extent, of preparations made for giving effect to the act of 1819. He was convinced this would be the case from the moment the Bank in that year demanded a repayment from government of ten millions. He recollected it was the general opinion of the committee. It was the opinion of his right hon. friend (Mr. Peel) the chairman of that committee, and was so stated in his speech when the report was taken into consideration by the House. It was also the opinion of his noble friend, at the head of the government, stated in another place. In saying this, nothing could be further from his thoughts than to cast any reflection upon the conduct of the Bank. A heavy responsibility was imposed upon them, and if, in providing to meet it, they had erred at all, they had done so from an excess of precaution, from an over anxiety to fulfil the commands of the law:—an error (if committed) into which it is the less surprising the directors should have fallen, as their interest as a corporation was obviously the other way; and it is natural for men of high honour to arm themselves, sometimes perhaps too scrupulously, against the supposed influence of personal motives in the discharge of a great public duty.

After what he had said, it was scarcely necessary to add, that he viewed with satisfaction the plan mentioned by his noble friend (lord Londonderry) of an issue of four millions of gold from the Bank upon the security of exchequer bills. He took it as a kind of admission from the Bank that they had now in their coffers gold, at least to that amount, more than was necessary, even in their cautious judgment for protecting the credit of their notes; and, of course, more than was convenient for their own interest to retain. The effect of the operation, as he understood it, would be, to replace the circulation where it would have been, if, instead of a repayment of ten, the Bank had been satisfied with six millions from the public. In that case, their accumulated treasure would probably have been four millions less than it now is—at present they will re-issue to that amount. In whatever degree four millions withdrawn has straightened the circulation and added to the pressure, four millions restored will give relief. Not that he expected that the whole of the gold would remain in this country; he knew it could not, but, by diffusing itself generally, it would every where have a tendency to give ease and life to the labouring markets of the world, and by consequence, and at least in the same degree, to our own. What is most urgent is, to stop the progress of depression.—That once effected, speculation, which is now in a manner dormant, will revive, and it is in this view, more than by its actual amount, that this operation of the Bank seems to hold out a prospect of reviving confidence and hope. He could have wished that, instead of being advanced to government, this sum had been added to the amount of the discounts of the Bank. Such a proceeding would have been more conformable to the principles and object of that Institution. It would not only have kept their issues more under their control, but would have afforded more relief to the public. It would have afforded more relief to the public, because the Bank have no means of increasing their discount to that amount except by lowering the rate which they now charge for interest—lowering it from five to four, or possibly less, per cent. Why this should not be done, or why they should prefer lending to government at three per cent was to him inconceivable. The amount it was safe and prudent to advance, either to the state or to individuals, was entirely their own consideration; but within that amount, he, as a member of parliament, had a right to say, that under the present circumstances, discount was their prior duty. The government disclaim the advance as an accommodation for the service of the year, and he was glad they did so; but they were willing to use it as the means of getting the sum into circulation, and in the hope of affording some relaxation to the existing pressure. The Bank is the public banker, but this was not the primary object of its institution. That object was, and ought to be, to facilitate the operations of commerce and industry, by extending mercantile credit; and how was that to be extended except by liberal discounts? For this purpose, extensive, and important, and exclusive privileges are given to the Bank, whilst all other bankers are placed under restrictions. These privileges were given in the ex-

pectation that the Bank, by keeping their rate of discount rather under the market rate, would tend to lower the latter; and to make the loans of money cheaper here than in other parts of the world. But how is this object to be attained if the Bank refuse to discount except at a rate higher than the market interest of money? If they are to keep the rate of discount at five per cent, whilst the Banks of other states, Hamburgh, Amsterdam and Paris, are discounting at three, or at the utmost four per cent, the tables will be turned against us; commerce will find cheaper accommodation elsewhere, and the privileges of the Bank will only be felt by the industry and trade of this country as tending to uphold (as far as such privileges can uphold), instead of tending to lower, the rate of interest upon money. He could not, therefore, too strongly state his opinion that the directors of the Bank would best consult the character and interest of that Institution, as well as the public interest, by lowering the rate of discounts in whatever proportion it may be necessary, in order to draw to themselves at least as much demand for that accommodation as it would, in their judgment, be safe for them to grant.

The next great head of this extensive subject, adverted to in the speech of the hon. and learned gentleman, was Taxation, to the extent of which he ascribed mainly, if not exclusively, the present agricultural distress. This conclusion the hon. and learned member had attempted to support by some of the most visionary doctrines of political economy which he (Mr. H.) had ever heard, at least from a person of his acknowledged talents and ingenuity. Among other positions equally extraordinary, the hon. and learned member had stated, "as a known and acknowledged axiom of political economy, as old as the science itself, that one effect of taxation was, to raise prices by increasing the profits of capital." This principle he (Mr. H.) must own was new to him, and belonged, he should say, to that class of axioms which a few years ago, set up the ideal unit or the abstract pound sterling as the real standard of our currency, axioms which, to his mind at least, had the merit of being unintelligible. He should like to know what the member for Portarlington had to say to this axiom? He had always thought that one of the evils of taxation was, that it *diminished* the profits of capital; but if it *increase* profits, how can it produce this effect without increasing the powers of employing industry, without increasing the means of consumption and enjoyment, without adding to the accumulated wealth of the country? And yet this is one of the axioms by the aid of which the hon. and learned gentleman endeavours to connect, as cause and effect, the amount of our taxation with the public distress. Another axiom of the hon. and learned gentleman equally fallacious is, that prices are raised to the consumer by the employment of great capitals, and that taxation renders such great capitals necessary. If he had said that, without a great extent of capital in a country, there could be no great extent of taxation, he (Mr. H.) could have understood him; but instead of great fixed capitals raising the price of manufactured commodities, their tendency was directly the reverse. It was by this extent of wealth, and by all the mechanical and chemical improvements which science suggested, but which capital alone could turn to the greatest practical advantage, that the natural effect of taxation in raising prices was in some degree counteracted; and that England was enabled to manufacture cheaper than any other country in the world. This advantage enabled the industrious classes in this country to provide themselves with many of the comforts of life, in clothing, hardware, and other articles, not only cheaper than they could be had in other countries, but cheaper than they were in this country at a time when the public burthens were much less in their amount. This is the case with cotton clothing, with coarse woollens, and with iron goods, articles of no small consumption by the agricultural classes of the community. Differing, therefore, with these doctrines of the hon. and learned gentleman respecting taxation, he was at the same time anxious that his own principles should not be misunderstood. Those principles might be found in the agricultural report of last year. To some of the propositions and inferences of that report he could only give a qualified concurrence; but upon this topic, it had his entire assent. He was ready to say now, as he said then, that "taxes, however imposed, must necessarily abridge the resources and comforts of those by whom they are ultimately paid, and that the general amount and real pressure of taxation have been positively increased in

"proportion to the improved value of the "currency."

In one principle stated by the hon. and learned gentleman, he agreed — "that it was the total amount more than the mode of levying the taxes that ought to be considered." But if he agreed with him in this general remark, he must add that the hon. and learned gentleman had fallen into a strange inconsistency; for a great part of his speech had been an attempt to prove that the malt tax, and most of the productive taxes in the collection of the excise, were paid by the occupiers of the land. As well might he argue that the tax upon sugar was paid by the West India planter, and that upon tea by the Chinese. In truth all these taxes fall in the first instance upon the consumer, and are ultimately borne either by the profits of capital, or sometimes by the capital itself, belonging to all the subjects of the state, and must operate in diminution either of the one or of the other. A remission of taxes, therefore, must be a benefit to all, and not exclusively to any particular class.

The immediate cause of the distress of the farmer is the great depression of his market, creating a difference of one third, at the least, between the nominal value of his whole stock in business now, compared with that nominal value a few years ago. In this state of things, let us suppose that taxes to a large amount are taken off. The effect will be, we are told, a further fall in prices. Be it so. What will be the consequence to the tenant whose stock in business is already diminished in value one third? Why, that it will be diminished one half. Now in the case of many tenants, at least one half of the capitals with which they began business, was money borrowed. To a man in that situation, what sort of relief should you give? With a new tenant who now takes to the concern and provides his stock in business with a money capital, only one half of that which was requisite to his predecessor, the case is different. The fall of prices, produced by the remission of taxes, involving too the fall of rent, will be to him any thing but a disadvantage. It will be a boon to him, as it will to capitalists, under similar circumstances, in other branches of industry. This appeared to him (Mr. H.) the fair distinction. The remission of taxation will be no immediate remedy to a distress directly arising from low prices;—but in whatever degree it can be effected, it will ultimately be a benefit to the agricultural, as well as to all the other interests of the country.

The hon. and learned gentleman has gone into minute details to shew that taxation diminishes consumption. Here again the general principle may be admitted. But has there been any marked diminution of consumption, peculiarly coincident with the present distress? On the contrary, has not consumption increased, and is it not now increasing in all articles of general use, even those subject to heavy duties of excise? If taxation, therefore, be the immediate cause of the present difficulties, whence comes it that the taxes complained of as peculiarly pressing upon agriculture, are more than usually productive? We are agreed as to the existence and character of the distress. It rests, therefore, with the hon. and learned gentleman, either to contend, that distress increases consumption, or to admit (contrary to the whole drift of his speech) that the particular taxes which he has mentioned — malt, soap, candles &c. do not fall either exclusively or extensively upon the distressed classes; and if they do not, it follows that the remission of those taxes would do nothing specifically for the immediate relief of agriculture.

The hon. and learned gentleman has shewn that the increased consumption of malt has not kept pace with the increase of our population. But when he ascribes this circumstance exclusively to the increase of the tax on this article, he might have shewn, had it equally suited his purpose, that increase or diminution in the annual consumption of this article has not corresponded with the augmentation or abatement of the tax. In 1816 the tax was reduced from 4*s*. 4*d*. to 2*s*. 4*d*. a bushel — the consumption of 1817 was 17,136,020 bushels,—that of 1818 26,462,933,—that of 1819 22,346,259,—making an average of the three years of 21,981,737 bushels. In 1819 the duty was again raised to 3*s*. 6*d*. per bushel; the consumption of 1820 was 24,535,155, of 1821 28,697,057 bushels, giving an average for the two years of 26,616,106 bushels, and exceeding the average of the three years of low duty by 4,634,369 bushels. If upon a comparison of 30 years the increase in the consumption of malt has not kept pace with the increase of the population—without denying that

the tax has contributed its share to the falling off—it may in part probably be ascribed to other causes—to improvements in the art of brewing, by which a saving of malt is effected—a saving, which he understood, was still greater in the distillery—also he was willing to hope, in part to a melioration in the habits of the people—at least he was glad to see that the consumption of soap, and other exciseable articles, connected with the comforts of the industrious classes, had increased, within the same period, in a proportion greater even than the increase of population; for he knew no more certain indication of sobriety than increased cleanliness and an improvement in the domestic manners of the community.

From whatever causes, however, the increase in the consumption of malt had not kept pace with the growth of the population, upon a comparison of the present period with the year 1792; it would be a fairer mode of inquiry, in reference to the effect of taxation, to make the comparison not upon malt only, but upon all the articles of general consumption which are liable to heavy duties of excise. This comparison, embracing some articles upon which the increase of taxation has been much more rapid and extensive than upon malt (such for instance as tea, mentioned by the noble marquis), would shew that, upon an average of the whole, consumption has fully kept pace with the augmented number of our population. But, Oh! exclaims the hon. and learned gentleman, indignant at the mere mention of tea.—"This may be very well for the agriculturist in China, but does tea in the smallest degree promote British industry or give employment to any one individual in Great Britain?" Does the hon. and learned gentleman wish us to understand, that the Chinese kindly make us a present of all the tea, and, still more kindly, deliver it free of expense in Leadenhall street; and that no British industry is put in motion, either to provide the means of procuring, this foreign article, or to convey it to the shores of this country? Are we to take this as the hon. and learned gentleman's doctrine in respect to commerce with foreign states, and as another sample of that political economy which the hon. and learned gentleman has attempted to palm upon the good sense of the House of Commons, but which in fact is more worthy of a drunken mob in Palace-yard?

The hon. and learned gentleman has compared the *nominal* amount of the taxes, including the charge of collection, now, and at various periods of the war, in order to shew that their *real* amount has not been diminished. "The people pay as much now in the seventh year of peace," he says, "as they did in 1806—aye even as much as they did in 1813." "Was there ever any thing so monstrous?" In 1813—84 millions was the gross sum collected, last year it was 60." "The difference is just equivalent to the depreciation of the currency." The hon. and learned gentleman entered into a similar comparison with the year 1806. No wonder, that for these comparisons it suited the hon. and learned gentleman's purpose to take the average depreciation of the currency at 25 per cent. But, even if it were true that the average depreciation had been carried to that extent, we have in these comparisons, the hon. and learned gentleman's implied admission that agriculture flourished, during the war, with an amount of taxation at least equal to that of the present time. Its present depression, therefore, is not the consequence of taxation. In the next place, what is there so monstrous or so new that a country which resorts to loans during war, should have to pay the interest of those loans after peace? Was not this the case after the American war? If the hon. and learned gentleman had been in the House in 1789, he might have exclaimed, "how monstrous, our revenue is now, in the sixth year of peace, seventeen millions, and in 1781, a year of war, it was only 10 millions." He might then have further exclaimed—"a great part of the difference arises from new taxes which did not exist during the war, but which have been imposed in successive years since the peace." On the other hand, to make his present statement correct, he ought to have added to it—"that, contrary to the practice of all former wars, we had been able to wind up this last, the most protracted and the most expensive of all, not only without any addition to, but with a great remission of, the public burthens."

Whether our expenditure upon the reduced scale stated by the noble marquis be still too great, is a point reserved for further investigation and discussion; but when the whole charge for the current year is brought under 50 millions, in-

cluding the extraordinary expenses incident to the insurrection in Ireland, it ought to be a strong presumption with gentlemen on the other side, that, with safety and justice, retrenchment cannot go much further. The hon. member for Essex (Mr. Western), whose absence from indisposition he (Mr. H.) particularly regretted, had deliberately stated his opinion in 1816, "that 50 milions was "the lowest sum, to which we could hope "to bring our expenditure, and that he "did not see how it could be brought so "low." No man will question his capacity to investigate these subjects, no man will question his disposition to economy. This is an authority which must have its weight with the other side of the House, and which is justly looked up to by the country; he therefore referred to it with the more confidence, as he was sure it would be a satisfaction to that hon. member to find, that the expenditure was now actually within the estimate which he had considered the lowest that could be sufficient.

The hon. and learned gentleman recommends an immediate remission of taxes to the extent of any existing surplus. But he goes further. If the taking off of five millions of taxes should not afford immediate relief (and assuredly it would not), the next step would be, to apply the remedy of an "unreasoning necessity" as the hon. and learned gentleman describes it; but which in plain terms, means neither more nor less than a breach of faith with the public creditor. That a nation like an individual, may be compelled to bend to an absolute uncontrollable necessity is what cannot be denied; but when the hon. and learned gentleman calmly contemplates a state of things short of that, and attempts to measure and define it by the present difficulties of the country; the continuance of which, he intimated, would come up to his view of an "unreasoning necessity," the proposition is most alarming. Setting aside all considerations of morality, justice, and public honour, is there any man weak enough to believe, that a national bankruptcy would relieve the present distress? blind enough not to see that it would involve us in general confusion, and weaken, if not destroy, the foundations upon which the security of all other property now rests? Something has been said of the public debt being a mortgage upon all the lands of England. This he would deny. There is no such specific mortgage. The public creditor can show no parchment—produce no deeds. His title is not upon the lands, more than upon the whole capital and income of the country. He derives that title from the same source as that which gives to every other subject of the realm the security in what he possesses—from the guarantee of the public power of the state. What is property itself, but the creature of that public power? Has not the claim of the public creditor the same sanction and pledge of that public power, as the private engagements between man and man, or as the transmission of property by inheritance or by will? Are not all these means of possession created and upheld by law, administered and enjoyed according to law; and can you make an inroad upon any one without endangering the whole? The possessor of an estate which he has inherited or purchased, or the holder of a mortgage upon that estate, has no more natural right, the one to his rent, or the other to his interest than the public creditor has to his dividend. Titles to property are not like life, or liberty—the gifts of God and nature. If you cancel the security given to one class of property you endanger the rights of all. Your blow may indeed be aimed at one corner of the edifice only, but its recoil, depend upon it, will damage, perhaps destroy, the foundation of the whole fabrick.

With respect to the sinking fund, he had no difficulty in avowing, that there could be no real sinking fund in time of peace, except the surplus of revenue above expenditure. Nothing else could be deserving of the name. But with such a debt as ours, and without such a sinking fund, he should look with disquietude, not so much to the immediate interests of the public creditor, as to the security of the state. If parliament proclaim our utter inability to reduce our debt during peace, what can we expect upon the renewal of hostilities, but the annihilation of credit, forcing us either to limit the extraordinary exertions of war within the additional means that can be raised annually by taxation, or to declare a national bankruptcy? Is this the alternative for which the country is prepared? If we had never had a sinking fund, it would be one question, whether, at a moment of difficulty like the present, we should, for the first time, make the effort necessary for creating one: it is quite another ques-

tion, whether, without the most overruling necessity, we ought to give up the sinking fund which we already possess; to give it up too in the face of the resolution of the year 1819, thus exhibiting to the world such a proof of distress and inability, of weakness and vacillation in council, as must lower our station, and destroy our influence, in Europe, and as could not fail, ere long, by inviting aggression, to bring upon us, in increased expense and diminished security, the punishment, even in a pecuniary view, of our own short-sighted and miserable policy. If hitherto, public credit has been to England power and safety, are we to part with it at the moment when all the states in the world are cultivating that source of strength by establishing sinking funds for the reduction of their respective debts? In France the sinking fund is greater in proportion to the total amount of debt than in this country; and in America still greater than in France.

But one great authority, hitherto most friendly to a sinking fund (Mr. Tierney), has told us that we may part with it now, and restore it again some years hence, when the country shall be more prosperous. This appears a weak and dangerous course. If once given up, the sinking fund will be gone for ever. Besides, can any man say how soon this country may be driven to the necessity of preparing for war? Would that be a case which we could postpone, because we should have postponed our sinking fund? If called upon to vindicate our honour could we adjourn the demand of satisfaction to some indefinite but more convenient period? If we once adopt this principle, if the feelings of the country be once subdued to it, insults and injuries will certainly not be wanting, but as we should have first parted with the means, so we should soon be without the spirit to avenge them.

That the resources of England however are reduced to this extremity he utterly denied. If in reference to any other great state in Europe, it had been proved to him, that its public credit stood very high,—that its revenue was increasing, without any increase of taxes, that its population was increasing in numbers with a rapidity unparalleled in any long-settled country, and that its internal improvements were keeping pace with the growth of its population;—and if, notwithstanding these facts, he had been told, that the real state of that country was desperate and hopeless; he should have mistrusted the accuracy of the assertion. If these be the immediate forerunners of decline, decay, and ruin, what, he might be allowed to ask, are the steady indications of increasing wealth, power, and prosperity?

Not concurring, therefore, in the gloomy view, not dismayed by the mysterious and fearful forebodings of the hon. and learned gentleman, he could not consent, under a pressure which he trusted would be temporary, to break down the best hopes, and to destroy the public credit, of the country. If after all the dangers we had defied, all the difficulties which we had overcome, and all the trials which our fortitude and firmness had met unappalled, during a war of twenty years, —if after we had terminated that long struggle in a manner which had raised the name and character of England to a height which no other country ever attained, we were, in a moment of despondency, to dash away, for ever, one of the main resources which have raised us to that proud distinction—a resource which is well described in the conclusion of the speech from the throne, as "that public credit in the maintenance of which all the best interests of this kingdom are equally involved, and by a steady adherence to the principles whereof we have attained and can alone expect to preserve our high station amongst the nations of the world," —he should then make it his earnest entreaty to those with whom he had acted in public life, he should call upon them by the reverence which they felt for the character and memory of Mr. Pitt, and, he might add, by their regard for their own fair fame, not to lend themselves to pull down this monument of our greatness and our strength; and if unfortunately, the House should resolve that it ought not to be sustained, to leave to other hands the unhallowed task of its demolition.

Mr. *Brougham* said, he was not in the House on any of the evenings when Mr. Peel's bill was in its progress through parliament, except on the third reading, and it was too late then to enter on discussions in which he had previously taken no part. He was absent from severe and dangerous illness.

Colonel *Davies* began by remarking on the extraordinary manner in which the right hon. gentleman had come down to comment on a speech delivered several days ago, while he made no adequate reply to what had been said in the debate

of that evening. He expressed his surprise at the apathy with which honourable members, who were complaining so loudly of agricultural distress, had heard the paltry reductions now stated in the speech of the noble marquis. Were their feelings entirely changed? Could they be satisfied with the measures proposed? The hon. member then proceeded to make some observations on the effect produced by the change in the currency, and other causes of the public distress. He contended, that the temporary appropriation of the sinking fund, or the remission of an amount of taxes equivalent to it, in the present distressed state of the country, so far from destroying public credit, would be the best means of supporting it, especially when coupled with retrenchment and economy in every branch of the public expenditure. The remaining taxes would thereby be more productive; capital would increase, the revenue would rise, and with the return of general prosperity, the public creditor would be more certain of being ultimately paid, than if the present fund were drained from the nation in the hour of its distress.

Mr. *Hume* said, he had not intended to claim the indulgence of the House at that late hour, but he could not refrain from making a few observations on the speech of the right hon. gentleman; and, on the extraordinary proceeding, he believed somewhat novel, of coming down with an answer to a speech delivered a week before. He had endeavoured to lead the House from the subject which was before it, by treating the argument of his hon. and learned friend in a most uncandid manner. The speech of the right hon. gentleman was in itself full of contradictions. The right hon. gentleman had called the attention of the House to the distressed state of the manufacturing interests in 1816, from which he said it recovered when left to itself. But what was the conclusion to which he came with respect to the agricultural question? He said he would not leave the agricultural interest to itself, as he had done the manufacturing interests, to recover from the depression under which it at present laboured; but wished to resort to the wild scheme of borrowing four millions from the Bank, for the purpose of buying corn with the public money. He would not leave the agricultural, like the manufacturing interest, to find its natural level; but thought that its distress might be remedied by government purchasing corn and placing it in granaries. [Here Mr. Huskisson expressed his dissent]. The right hon. gentleman had certainly admitted that such a scheme formed part of the plan for ameliorating the condition of the agricultural interest; and although he had conceded that it was an absurd project, and had ridiculed it in strong terms, he at length came to the conclusion that on the whole, it ought to be tried. The right hon. gentleman mis-represented what had fallen from his hon. and learned friend, when he said that his hon. and learned friend attributed all the difficulties of the country to taxation. His hon. and learned friend said, that taxation abridged the comforts of the people, and lessened their means of consumption of corn. The right hon. gentleman himself admitted that taxation was an evil in the abstract. If it was an evil in the abstract, he would wish to know what it was in practice. Both the noble marquis and the right hon. gentleman had dealt unfairly with his hon. and learned friend, when they assumed that he had declared taxation to be the cause of low prices. He had stated no more than had been advanced from the other side; namely, that the effect of taxation was, to abridge the comforts of the people, and to increase their difficulties; and he did not think it possible gravely to deny that position. The right hon. gentleman again misrepresented the intentions of his hon. and learned friend, when he stated that the latter wished to destroy public credit. The expression of his hon. and learned friend, upon which that misrepresentation was founded, was, he believed, couched in the following words:—"that he desired to be understood as wishing to do away with all the system called the sinking fund, except so far as would allow the immediate application of a surplus of revenue over expenditure for the purpose of instantly reducing the debt." He would appeal to the House whether that passage could bear the construction which had been put upon it. With respect to the sinking fund, he was decidedly with his learned friend, of opinion, that it ought not to be continued on the footing on which it at present stood. He was certain that some good might be effected, if all the surplus were to be immediately applied to purchasing a certain portion of the debt, instead of being left at the discretion of his majesty's ministers to be im-

properly squandered, as he would prove it to be, by the right hon. gentlemen opposite.—He would now say a few words with respect to the plan which had been brought forward that night by ministers. The public had waited with the utmost anxiety to know what propositions ministers would bring forward. He had never known expectation raised so high as it had been on the present occasion, both within and without the walls of that House. They had now got the plan of ministers, and what was it? He would maintain that it was a delusion, and that no folly could equal that of those persons who were inclined to depend upon the statements of the noble marquis. To prove how the noble marquis had before deceived the House, and how little reliance was to be placed upon his present assertions, he would remind the House of what the noble marquis had stated on former occasions. The House had before been mad enough implicitly to believe the noble marquis, and had been deceived by him; but he entreated the country gentlemen not to allow themselves to continue in error, until destruction had overtaken them. He begged of the House not to put trust in the declarations of the noble marquis, and the chancellor of the exchequer. He would show the House the credit which the right hon. gentleman deserved, as soon as he had disposed of the noble marquis. In the year 1817, the expense of the half-pay amounted to 650,000*l.* The noble marquis then stated, that it would gradually be diminished—not only by the death of individuals, but from the circumstance of persons who had a claim upon the fund being appointed to situations of active service as they should become vacant. How had the noble marquis's statement been borne out by events? The half-pay now amounted to 900,000*l.* In 1819, the noble marquis stated, that the expenditure of the country, according to the estimates for that year, would amount to 15,522,581*l.*, when it appeared from the annual finance accounts, that the actual expenditure was 17,384,402*l.* In 1818, the ministerial estimates were calculated at 15,727,212*l.*; it appeared from the accounts, that the expenditure for that year was 16 millions and a half. In 1819, the estimates were 15,522,000*l.* and the actual expenditure was 17,384,402*l.* In 1820, the estimates were 16,678,000*l.* and the expenditure was 16,725,000*l.* Thus it would be seen, that every year the expenditure exceeded the estimates of the noble marquis. After having been so often deceived, would the country gentlemen allow themselves to be again deluded? Did they desire a remedy for their distress similar to the panacea of last session?—The hon. gentleman then made some observations, to show the inutility of the sinking fund under existing circumstances. When the right hon. gentleman, upon the occasion of the imposition of 3,000,000*l.* of new taxes, had expressed his expectation of obtaining a surplus of five millions, he (Mr. H.) had stated, that no surplus to that amount would be obtained, even if ten millions of taxes should be laid on. His opinion was, that the ministers would expend all the money they could collect, and that no effectual reduction of expense would take place, until parliament took away the supply. The event had proved that he was right; for in the year ending January, 1821, the surplus amounted to only 950,000*l.* He had been exceedingly surprised to hear the noble marquis speak of the general prosperity of all the branches of the public wealth, excepting agriculture. What was the state of the colonies? What was the state of our manufactures? He denied that the manufacturing interest generally was in a flourishing condition. In several branches of manufactures only a bare profit could be obtained. He could prove the statement of the noble marquis to be founded on error. The noble marquis founded his calculations on official returns of the value of exports, which generally considerably exceeded the real value of the articles exported. If hon. members confided in the noble lord, after the exposition which he had made, they would exhibit the *ne plus ultra* of credulity.—He could not refrain from noticing the allusions which the right hon. gentleman who spoke last had made to popular assemblies. Notwithstanding the taunts which he had directed against assemblies in Covent-garden, he would tell him, that each of the many thousand persons who composed the meeting at that place the other day, were as capable of judging of the subject before the House as he was; and he could farther inform the right hon. gentleman, that if he had at that meeting made use of the same expressions which he had that night uttered, he would not have been backed so well as he had been in that House. He was convinced that if that House had that night been com-

posed of 500 honest tradesmen, they would have immediately scouted the doctrines of the noble marquis, and the statements of the right hon. gentleman [Hear, and a laugh]. The noble lord's plan of lending money to the overseers of the poor would, from one end of the country to the other, excite nothing but contempt. It was made a boast, too, that the loan was to be in gold—as if that were now a matter of any importance, when every Bank note was exchangeable for gold coin. The plan would be a certain loss to the country. It would derange all the means which otherwise existed of bringing the agricultural interest to a level. This meddling with the money market was contrary to all sound principles, and also contrary to those which had been laid down by the right hon. gentleman opposite. The finances of this country were in a state of complication and derangement, to which nothing similar was to be found in the financial systems of any state of Europe or of America. Could any body tell whether there was a surplus over the expenditure of the country? No: that was impossible; the right hon. member, when questioned on the subject by the hon. member for Worcester, could not tell what was the amount of surplus revenue, or whether any surplus existed. He would put it to the country gentlemen, whether it was their intention now, to allow 26,000,000*l.* for carrying on the same services, which in the year 1792 required only 7,000,000*l.* Allowing for what was called a dead weight of 4,500,000*l.* or 5,000,000*l.*, he could show that reductions might easily be made to the amount of from 7,000,000*l.* to 10,000,000*l.* So far from the plan proposed being likely to prove satisfactory, it was one which would most cruelly disappoint the expectations of the country, and he would state confidently, that it could not be carried into effect.

The motion was agreed to, and the said accounts were laid on the table.

HOUSE OF LORDS.

Monday, February 18.

AGRICULTURAL DISTRESS.] Lord *Suffield* rose to present a petition from the owners and occupiers of land in the county of Norfolk. The petition complained of Agricultural distress, stated taxation to be the principal cause, and prayed for retrenchment of the expenditure, reduction of the public burthens, and for parliamentary reform. He congratulated himself, that on the day of his taking his seat among their lordships, he should have to stand before them as the representative of the important county of Norfolk—a county lately so distinguished for agricultural opulence, but now, unfortunately, reduced to a state of the greatest distress. Many causes had been assigned by different persons; but it would be sufficient for him to notice what the petitioners supposed to be the principal causes, and the remedies they proposed to apply. The principal cause was, the oppressive burthen of taxation, occasioned by the wasteful expenditure of the government. This had spread that distress through the country which was every where felt. But more particularly in the county of Norfolk. There might be persons not affected by it, but it must be those who received salaries, emoluments and pensions from the public. Never was there a more respectable meeting assembled in the county of Norfolk. The persons who composed it had a just right and title to represent the sentiments of the county, if the ownership and occupation of the principal number of acres it contains might give that right. But, unfortunately, their acres had followed the fate of the Bank paper, which was good as long as it passed current. The acres of Norfolk now produced nothing to their owners, and were like discredited paper of no value. This meeting consisted of persons of all parties, and many who were of no party whatever; and yet, in a meeting thus constituted, the call for retrenchment and reduction of taxation was unanimous. Both the members for the county were present, and one of them, a gentleman who had always supported the present administration (Mr. Wodehouse), concurred in opinion with the meeting, that reduction of taxation was the only remedy for the existing distress. The opinion of the meeting was, that the duties on malt, candles, soap, &c., ought to be in the first instance reduced. The petition, besides praying for reduction of taxation, also prayed for parliamentary reform. Before he noticed that subject more particularly, he must observe, that many persons believed it to be impossible for parliament to give relief by retrenchment; for such relief, they supposed, could not be obtained without a sweeping system of reduction, which they were persuaded no

ministers could support and retain their places. Hence followed the opinion that a reform of parliament was the only means of obtaining a reduction of taxation. The meeting was unanimous as to taxation being the cause of the distress; and, on the subject of reform, the dissenters did not exceed five in the hundred. He had not been, in the first instance, anxious about the question of reform at the meeting. He thought it, however, of importance to obtain from persons of weight in the county, a declaration that taxation was the cause of the existing distress, especially when it came from those who had never missed any opportunity of increasing that expenditure which formed an excuse for the taxation. How taxation was to be effectually reduced without parliamentary reform, it was for such persons to explain. With respect to parliamentary reform, it was often objected to it, that those who supported it differed in opinion. This might be said with equal truth of many other questions; but though the friends of reform might differ as to the extent to which it ought to be carried, there certainly was no difference among them as to the necessity of commencing the work. He was not one of those who advocated a sweeping reform; but he was convinced of the necessity of rendering the House of Commons more fully and fairly the representatives of the people. He was sanguine enough to believe that the word "reform" would soon be in the mouth of every independent individual in the country. He approved of the question being brought forward and publicly discussed, but was always against its being agitated in a violent manner, because such agitation afforded pretexts for curtailing the rights and liberties of the people. There was nothing therefore he more condemned than tumultuous assemblies. What had convinced him of the necessity of parliamentary reform, was, the neglect of parliament to inquire into grievances. One or two remarkable instances of that neglect, which had recently occurred, he would mention. The first to which he would allude was, the Manchester outrage. The refusal to inquire into that atrocious transaction would be sufficient to induce him to advocate parliamentary reform, even if no other reason for it existed. He would support any administration that made a beginning in the work of reform; but would give his voice to none that refused to make a commencement. He had visited the district where that outrage was committed—he had made inquiry respecting it, and he was convinced that the people met with no view to mischief. The best proof of this was their conduct in assembling, and the manner in which they acted when attacked by a military force. The next occurrence which impressed him with the necessity of parliamentary reform was, the proceedings against the Queen. One other circumstance he should mention which arose out of the last—he meant the dismissal of sir Robert Wilson from his majesty's service. In recommending those measures, he did not doubt that ministers had acted with integrity. He sincerely believed that the advice they had given, whether with regard to the thanks to the Manchester magistrates, to the proceedings against the illustrious personage he had mentioned, or to the dismissal of the gallant general, had been conscientiously given on their view of the different cases at the time. What he complained of was, that they had acted with great and breathless rashness. He firmly believed that they would now gladly recall those acts if they could.

Lord *Calthorpe* concurred in all the allegations of the petitioners as to the extent of agricultural distress. He was induced to offer a few observations on the subject, because he was compelled to acknowledge, from the state of public feeling, which he had witnessed at the county of Suffolk meeting, that that feeling was decidedly in favour of retrenchment, and of some degree of parliamentary reform. At the meeting to which he alluded, and which was attended by persons of property and independence in the county, a most unanimous vote was given for retrenchment. The unanimity of the meeting was in some measure interrupted, by what appeared to him an unseasonable resolution in favour of reform. This resolution was carried by a great majority; but, whether it met with the concurrence of the principal land-owners who were present, he could not ascertain, because it was agreed to with acclamation by the majority. The manner in which the resolution was voted, left no doubt of the general concurrence of the great body of the people in the opinion that parliamentary reform was necessary. But he was convinced that the opinion was growing in other classes, and that it had spread itself through the well-educated and well-informed part of

the community. In that most important class of society, a disposition in favour of parliamentary reform, manifestly prevailed. This opinion had most decidedly shown itself within the last six years. To what its growth was owing, he did not pretend to say; but of its existence there could be no doubt. At the Suffolk meeting the vote for retrenchment was unanimous: and after the pledge for reductions which had been given at the close of the last session, this resolution, had there even been no vote in favour of reform, would have been sufficient to show that there was not such a confidence in the intentions of parliament as their lordships must wish to see prevail. This want of confidence, he believed, arose from a belief of excessive influence being employed by government to carry certain measures. The necessity of working by influence produced inconsistency in the measures of government; and it was not surprising that what the well-informed called inconsistency should by the more ignorant be denounced as corruption. The want of confidence which now so generally prevailed did not arise from any doubt of the probity of the noble earl at the head of his majesty's government; but the more men of information and respectability believed ministers to be sincere, the more were they obliged to look around them for the causes which prevented retrenchment, and the adoption of an effectual system of economy. The obstacles appeared to resolve themselves into a system of influence, which had for many years been resorted to as a means of carrying on the business of the state. He did not mean to say that some influence was not necessary; but he was convinced that only the influence which fairly belonged to official situations was required in this country. He was convinced that, with the principles and feelings which prevailed among the great mass of the well-informed people of this country, there would be no danger of an administration being overthrown by the abandonment of parliamentary influence. By relinquishing that influence, ministers would remove from their measures the character of inconsistency. Were it not for influence, they might be expected to act in unison with public opinion, without being forced to yield to it apparently against their own judgment; as they did last session, when a declaration in favour of retrenchment was wrung from them. By keeping public opinion in view, they would be better able to carry on the business of government, than by the inconsistency which the fluctuations and contradictions of parliamentary influence produced. What greater proofs of inconsistency could be wanted than the changeable measures which had been adopted or proposed with respect to agriculture? What confidence could the petitioners have in the intentions of government, when they found that the chief minister of the Crown in another place had proposed to introduce those modifications of the corn-bill which were rejected last session? The slight degree in which public opinion operated on parliament was evident from what had passed last session; for the recommendation of retrenchment, which then came from a committee of the other House, would certainly have been made at least one year sooner, had public opinion been attended to. The noble lord then adverted to the state of the law respecting the importation of foreign corn, which he strongly condemned, and observed, that he should rejoice in any alteration of the corn-laws which would remove the glaring inconsistencies which prevailed on the subject of importation.

Ordered to lie on the table.

HOUSE OF COMMONS.

Monday, February 18,

AGRICULTURAL DISTRESS.] Mr. *Lockhart*, in presenting a petition from certain owners and occupiers of land in the two parishes of Repton and Gresley, took occasion to observe, that unless some plan were devised for the relief of the agricultural interest, more effectual than that which was supported by the noble marquis, the clergy would shortly be without endowments, the landed proprietors without rentals, the poor without relief, and the sources of every charitable institution would be annihilated. To show the distress which affected the labouring classes at present, it would only be necessary to state one fact. A gaol had been built at Bury, in Suffolk, for the reception of 80 prisoners; but, at present, it was filled by 200 individuals, 60 of whom were labourers. They had been committed for poaching; and it was a fact, that the labourers went out poaching in the open day, for the purpose of being apprehended; as they preferred the support which was afforded to them in gaol to the want and

misery they were compelled to encounter at their own dwellings.

Saving Banks.] Mr. *Ricardo* presented a petition from Mr. John Woodson who, he observed, had taken a great deal of pains in examining into the best mode of relieving the poor, and who was of opinion that the principle on which the Saving banks were at present conducted was not the most beneficial that could be devised. He conceived it would be much better, if those who vested their money in these banks were paid by way of annuity, but at a less rate of interest than was now given. Their money might be allowed to accumulate, and thus a comfortable provision would be insured to them, when they arrived at an advanced age. He (Mr. R.) thought the plan deserved the attention of the legislature.

Mr. *Curwen* was of opinion, that the plan proposed by the petitioner, was likely to be attended with most beneficial effects. It would be particularly serviceable to unmarried servants, who might be able to lay by small sums of money. As the Saving banks were now conducted, they only operated beneficially for those persons who were able to spare comparatively large sums, but were of very little use to the mere labourer.

Committee of Supply.] On the order of the day for going into a Committee of Supply, to which the accounts of Exchequer bills and Irish Treasury bills were referred,

Sir *J. Newport* said, that the estimates should be laid on the table, before they proceeded to a vote of supply for the Navy.

The *Chancellor of the Exchequer* said, that the necessary documents would be ready in the course of a few days, and would be placed in the hands of members.

Sir *G. Warrender* remarked, that the vote in question was a mere matter of course.

Mr. *Hume* said, that with respect to the vote for the Navy, which the hon. baronet stated to be a mere vote of course, he could not agree to proceed with it until the estimates were before the House. This was the first vote of supply in the present sessions, and the House must see how utterly impossible it was to decide on the nature and propriety of the charges contained in that vote, unless a full estimate were laid before them. In the account which had been printed, he found only large items; such, for instance, as 21,000 men at 2*l.* 8*s.* 6*d.* per man per month, without any explanation of the manner in which they were employed. Until last year no return was made of the number of marines, amounting to 8,000 men. Why was not a similar return made now? Why were they not informed of the number of marines, the number of seamen and the number of general officers? Was it right that they should allow 25*l.* per day to be paid to certain general officers at the head of the marines? In drawing the attention of the House to this particular expenditure, he did not wish to strike off any fair emolument that might be due to that individual. All he contended for was, the necessity of having proper estimates before them. If they continued to vote large sums in a lump, there would be no end to the waste of the public money. On a former occasion, when he made an inquiry into a charge of 73,000*l.* for recruiting, the secretary at war refused to give him any information, and hurried on the committee, though it was one o'clock in the morning. It should not however be his fault, if, in future, proper information were not laid before the House. Before the Speaker left the chair, it was his intention to move for a return of the number of officers on the marine staff, the number of marines, and the total expense of that department. In voting the wages for the navy, he meant to inquire whether any additional number of secretaries had been appointed at the different naval stations, and what was the number of individuals on the naval staff. On one item he meant to take the sense of the House. He alluded to the sum of 4,000*l.* per annum, which was paid to sir A. Cochrane, who commanded two ships at Plymouth. A similar sum was also paid to another admiral, who commanded three ships at Portsmouth. These duties were formerly executed for 1,500*l.* a year. The officer who commanded a ship of war, two frigates, and a sloop, at Portsmouth, had two secretaries. Now, he could not conceive the necessity of employing that number. The hon. baronet must be aware that the committee of finance, in 1817, when speaking of the charge for the wear and tear of ships, had asked, with a strong expression of surprise, how it was possible that that charge could be so great? What was the difference between the number of seamen called for in the present year, and the

number voted in 1817? There was only a difference of 1,000 men. The reduction of expense on the whole naval establishment in the present year, as compared with 1817, was only 1-22nd part of the whole. In 1817, it was 1,866,000*l.*; it was now 1,781,000*l.* The sum voted for provisions was now 532,000*l.*; in 1817, it was 550,000*l.*; but at the latter period salt beef was from 10*l.* to 12*l.* a tierce, whereas it was now only about 5*l.* There were, of the marine force, a body of 6,000 men on shore; the vote for whose wages and sustenance ought to be placed under a specific head. In fact, the paper that had been laid on the table of the House, relative to the vote for the naval service, was a rough estimate, on which no man could come to a correct conclusion. Every charge in the present year appeared to be the same that was made in the last, except in the Ordnance. The charge for powder and ball, in the seventh year of peace was no less than 95,000*l.* What had the committee of Finance said on this very subject? They observed, that during war, the expenditure under the head of "Ordnance" must be very considerable; but they felt great satisfaction in stating, that in time of peace it must be considerably reduced. In that year the expense of the Ordnance was brought down to 4*s.* per man; but it was immediately afterwards increased to 7*s.* per man, and that had been the charge ever since. He could not conceive why so large a sum as 95,000*l.* should be paid under this head, unless the officers fired off the balls for their amusement, or threw the powder overboard. It was his intention to submit three distinct motions to the House, connected with the subjects on which he had touched. The first, for a particular account of the expense and number of the marine corps, and also of the navy, under their respective heads; the second, for a statement of the manner in which half a million was expended for provisions; and the third, for a detailed return of the expenditure of 95,000*l.* for powder and ball.

Sir *G. Warrender* said, that in the committee of supply on Friday, he would give the hon. member all the information he required.

Sir *J. Yorke* said, that if the advice of the hon. member were pursued, we might as well blow up our dock-yards and burn our ships; for in the course of a very short time we should have no seamen. It was clear that the hon. member knew nothing of naval matters; or he would not attempt to destroy our naval system, root and branch.

The House then went into the committee of supply.

SCOTCH COMMISSARY COURTS.] Lord *A. Hamilton* said, he rose to move for leave to bring in a bill to abolish several useless offices in Scotland. The House would be surprised to hear that those offices had been twice reported on by two separate commissions, agreeing that they ought to be abolished. He would state, in the first place, what the offices were; secondly, the grounds on which he would move that they should be abolished; and, thirdly, the means of effecting it. It would be necessary to travel far back, were he to trace minutely the origin of those offices. They were remnants of the old ecclesiastical jurisdictions in the counties of Scotland, and were conducted by 23 commissaries, who succeeded to the jurisdiction of the Scotch bishops. There were 23 commissary clerks, and 23 procurators fiscal; not paid, it was true, by government, but paid, by the subject, from whose pockets the money, in the shape of arbitrary fees, was extracted. Now, as to the grounds for their abolition, he would remind the House, that they were declared not only useless but inconvenient, by a commission appointed as long ago as the year 1808, and which reported in 1810; and from 1810, his majesty's government and the successive lords advocate were culpable in not having followed up the recommendation of that Report. The present lord advocate, indeed, had the least share of blame; because he had been the least time in office. The noble lord then proceeded to state the substance of the Report of 1810, by which the House was informed, that under all the circumstances, the inferior commissary courts were not only useless, but even injurious to the subject, and ought to be abolished, and their jurisdiction transferred to the sheriffs' court. This Report, which ought not to have been neglected, was not acted upon for five years; at the end of which time, the then lord advocate brought in a bill, which, among other objects, had in view the abolition of those courts at the expiration of two months from its passing. The bill was read a first time on the motion of the lord advocate, and, he believed, a second

time; but, after having gone so far, the learned lord abstracted the bill from parliament; and why? The pretext was, that another commission on those offices had been moved for; and the lord advocate hoped, perhaps, that that commission would take a different view of the subject from what the former one did. The second report was made in 1818; and not only did that report agree with the former, but it stated, that the number of gross and flagrant abuses which existed in those courts ought to accelerate their abolition. The bill which the lord advocate introduced in 1815, had not only for its object the abolition of those offices, but to prevent the sale of the offices of procurators or clerks in the commissary court. The noble lord then repeated the observation of the reports of the two commissioners, contending, that the system of abuse and fraud which was stated to exist in the inferior commissary courts called upon parliament, in the strongest manner, for their abolition. He proceeded to show, that there were payments exacted in the shape of fees, which were not ascertained by any determinate scale, but were at the discretion of the officers. He then referred to the evidence taken before the commission, which went to prove that there was no fixed rule of fees, but that they varied according to the will of the clerk and of the parties concerned; and this practice had been going on for 14 years, notwithstanding the two reports and the introduction of the lord advocate's bill. The commission stated, that the fees were not only improperly exacted, but were in some instances made exorbitant, with a view to proportionate compensation, in case the offices should be abolished. But if the learned lord would agree to the abolition, he hoped they should not materially differ as to the amount of compensation; for no one could suppose that where such abuse existed, much compensation could be claimed.—The noble lord then went on to show the means by which the object of his motion was to be effected; and observed, that he should have felt himself inadequate to the task of abolishing above twenty courts, although nuisances, and transferring their jurisdictions, if he had not to his hand the reports of the commissioners, and the bill of the lord advocate. There might be some few who were entitled to compensation; but the bulk of the persons affected by the bill had no claim to any whatever. The noble lord then moved, "That leave be given to bring in a Bill to abolish the Inferior Commissary Courts of Scotland."

The *Lord Advocate* said, that if the noble lord had communicated with him, either in the House or out of it, the facts which he could have stated, might have precluded the necessity of the present application. He begged to state, that he had been, for some time in direct communication with the different individuals concerned in the offices in question, and that he stood prepared to submit, in the course of the session, the same description of bill which the noble lord asked leave to introduce. Under such circumstances, he trusted the noble lord would withdraw his motion. The noble lord had thrown great blame upon his predecessors in office, for their neglect of the measure in question. For those who had preceded him he could not speak; but certainly he took no blame to himself for delay. He had found on his table, when he succeeded to his office, eight reports of commissioners proposing different reductions. That any man should consider all these reports in one session was impossible; but he had commenced, and he meant to go on *seriatim*, until they were finished. Still time must be allowed. It might naturally be supposed that all the parties concerned were anxious to have their cases individually investigated. One of the courts at present sought to be abolished was a court for the recovery of debts under 3*l*. That court might at once be dispensed with, because its operation was little else than mischievous: it called persons from long distances, to arrange matters better settled by local jurisdiction; and abuse having existed, it might be got rid of without compensation. But there were other courts attacked by the measure now proposed, which stood in a situation extremely different—courts, as to which the commissioners had reported, that only such fees as were reasonable had been taken. Now, to the officers of those courts, compensation would be insisted on; and the amount of that compensation would not be trifling, for the salaries amounted to between four and five thousand a year. Let it be recollected, that those salaries were now no charge upon government; they arose out of fees received upon the transacting of business; and if parliament at once abolished and gave compensation, they saddled, in fact

so much new expense upon the public. He certainly did not intend to make a proposal to any such effect; and if he had been inclined to make such a proposal, could he have had any hope that it would be acceded to? What he did mean to suggest was this:—Let the court, for the recovery of small debts be forthwith put an end to; and let the other offices be gradually abolished: let them be got rid of as the present incumbents died, without putting government to the cost of compensation. Independent, however, of the question of compensation, the whole matter required consideration and arrangement. The offices to be gradually abolished must be regulated during the remainder of their existence. Then the duties of those offices must be transferred to some other hand; and it must be decided to what hand they should go. If the sheriff undertook them, he would require in some way to be remunerated for the trouble; and was that remuneration to arise out of salary, or out of fees? All these were matters, which, of necessity, must be looked to, and provided for. Was the noble lord prepared to go into them; or would he consent to withdraw the present motion, and wait for the bill which he (the Lord Advocate) would bring in?

Sir *John Newport* said, that if compensations were to be given, in any cases, they could only be given where the proceedings had been legal. Now, it was doubtful whether most of the officers in question had not long been taking monies to which they were not entitled. When individuals were convicted of misconduct, it was usual to dismiss them without compensation; and why should not the same course be taken with respect to classes?

Mr. *W. Dundas* was of opinion, that the cases of fraud, instead of being general, were confined to a very few instances.

Lord *A. Hamilton* declared, that in the reports of the commissioners, scarcely an individual was named who had not been guilty of exaction. The truth was, that the abolition ought to have taken place ten years ago; but, as there were forty places to be at once disposed of, such a waver of patronage was not likely to be hastily made. The noble lord then proposed, that the Lord Advocate should acquiesce in the present motion for leave; and that he should afterwards bring in the bill to which he alluded, with which he (Lord A. Hamilton) would not interfere, as long as it was sedulously prosecuted.

The *Lord Advocate* pledged himself to bring in his bill as soon as possible; but thought it would come more regularly, if the noble lord withdrew his present motion.

Mr. *Peel* said, that where any of the offices in question had of late years been filled up, the appointments had been given with a full understanding that, in case of abolition, no claim to compensation should accrue.

After some further conversation, the motion was negatived.

Motion for a Committee on the Agricultural Distress.] The Marquis of *Londonderry* moved, "That the Report of the Committee on the Agricultural Distress, presented the 18th June, 1821, together with the several petitions which have been presented to the House in the last and present sessions of parliament, complaining of the depressed state of Agriculture of the United Kingdom, be referred to a Select Committee, to enquire into the allegations thereof, and to report their observations thereupon to the House."

Mr. *Gooch* said, he was desirous of correcting some of the misrepresentations which had taken place respecting him at several public meetings. He had been described, as having brought forward this subject last year, in collusion with the government, in order to prevent enquiry. If he had acted such a part, he should have thought himself unworthy to represent that county which sent him to parliament, or any other. Having been sent there to represent one of the first agricultural counties in England, he had believed it to be his duty, when he saw their table covered with petitions, all describing the existence of one unusual scene of distress, to call the attention of the House to it. Though little qualified to perform such a task, he had determined on taking it up as nobody else did. He wished for that inquiry which had taken place; but which, he was sorry to say, had done little. He had, in the first instance, thought it right to ascertain his own strength, and the strength of those opposed to him. Feeling no wish to raise the landed interest to the injury of other interests, he had not anticipated much opposition from the commercial

and manufacturing interests. After consulting those connected with those interests, he then went to the noble marquis to ask what the government proposed to do. The noble marquis told him, that ministers would not oppose a motion for a committee, as they felt for the situation of the agricultural classes as much as he could do. He told the noble marquis, he was rather surprised that with these feelings they had not come forward with some measures for their relief. The noble marquis said, that as a minister, he had no right to bring forward a measure unless he could offer a remedy, as he wished not to hold out a hope to the country which might not be realized. But, he added, that he would willingly attend the committee, and give every aid in his power to the prosecution of the enquiry. That pledge the noble marquis had most fully redeemed. Now, with respect to the Report of the Committee, he would say, that to him it appeared worse than useless. The House probably did not know by whom the report had been drawn up. He had not done it. Even had his opinions been those of the right hon. gentleman who performed the task, he could not have executed it with that gentleman's talent. Still the document, though admirably got up, had been considered by the country as a piece of mystification. It was rather extraordinary, perhaps, for a chairman to speak in such terms of a report which was supposed to emanate from himself; but he was bound to confess that he thought it threw dust in the eyes of those persons whose eyes it should have opened. It ought to have carried comfort and information to the people; and, in fact, it had carried neither the one nor the other. Perhaps he might be allowed a few words on what had fallen from the noble marquis on Friday last. No man had more at heart the welfare of the landed interest than the humble individual who then addressed the House. His duty, his inclination, and his interest, all led him that way. He thought the statement of the noble marquis in many respects most satisfactory; and he begged to congratulate the House on the state of the finances of the country. It was a most gratifying circumstance to find that we were in possession of a clear sinking fund of more than 5,000,000*l.* For the general welfare of the country it was necessary that public credit should be secured. Nothing could tend more to the relief of the country than thus improving and strengthening public credit. But when he came to speak of what the noble lord had said on the subject of Agricultural Distress, he should not speak truth, if he were to state it to be his opinion, that it would prove satisfactory to the landed interest. He thought they would be discontented, because more was not done. But it was one thing to say, that what had been proposed, was not sufficient, and another to point out what more ought to be done. He did not see what more could be done; but he was most anxious to see as large a diminution of taxes as could be made, consistently with the maintenance of the great interests of the country. The question then became one of quantity. He was one of those who did not wish the numerical strength of the army to be more diminished; but he wished for further reductions in the civil departments of both army and navy. When the estimates came before the House, he would vote for such reductions as he thought would be proper. On the whole, however, looking at what had been done already in the way of reduction and retrenchment since the last session, he could not help congratulating the country upon it, as the opening of a system that appeared to him to be pregnant with the greatest benefits. He had been censured for not having been present in the House last session, on several occasions when the hon. member for Aberdeen brought forward questions connected with public economy. The fact was, however, that not having been in the habit of long confining himself to a room, his attendance for fourteen weeks on the Agricultural Committee, from an early hour in the morning until four in the afternoon, had the effect of frequently jading him to a degree that would not allow him to take his place in the House. Again he congratulated the House on what had been done. He hoped to God the noble marquis would follow up the plan which he had commenced. He hoped the House would go hand in hand with the country, in giving to that plan the utmost effect of which it was capable; he hoped that all persons would, for once, divest themselves of party spirit; he hoped that they would unite in one common cause, and, in the words which they were every day accustomed to hear, "lay aside all private interests, prejudices, and partial affections."

Sir *John Shelley* said that the hon.

member for Suffolk seemed rejoiced at the relief that had been afforded, and appeared quite surprised that the noble lord had done so much. He (sir J. S.) was surprised too; but it was that the noble lord had done so little. With respect to the sinking fund, it appeared to him to be a complete fallacy. He regretted that the noble lord did not confine the amount to be devoted to it to one million, and avail himself of the remaining four millions of the surplus of the income over the expenditure, by taking off those taxes which bore most heavily on agriculture. He had no hesitation in declaring, that the sinking fund had ever been a great charge to the country, and that very little had been gained by it. Reduction of taxation was alike the wish of the House and of the country; but, in his opinion, the plan of the noble lord was merely a bolstering up of the funds at the expense of the landed interest.

Mr. *Wodehouse* observed, that the principal object for which he rose was, to ask the noble marquis a question. He would first, however, make a few observations on the subject immediately before the House. Although some of the views of his majesty's government appeared to be rather enigmatical, he had no doubt, that on the whole, the measures which they proposed would be beneficial. He felt it his duty, however, to express the obligation which he felt to two distinguished individuals on the other side of the House. To the one, he owed a two-fold obligation; he meant the hon. and learned gentleman opposite (Mr. Brougham). Although he differed very much from the hon. and learned gentleman on some points of his arguments, he yet thought that that hon. and learned gentleman had done more service to the cause of agriculture than any man in the House. Such, indeed, were the transcendant talents with which he was so marvellously gifted, and such the extraordinary force of his reasoning, that it really required great firmness to resist him in his conclusions. The other obligation which he owed the hon. and learned gentleman, was, for having, in the course of his argument on the sinking fund (that rock on which our public credit rested), done justice to the memory of that great man who was the author of that measure, and who could never be estimated too highly. The other individual to whom he wished to express his obligation was, a noble lord (John Russell) not then in his place, who, in an address which he had published some time ago to his constituents on the subject of a proposed petition to parliament for the relief of agricultural distress, had treated the subject exactly in the way in which, in his opinion, it ought to be treated. Honourable gentlemen might recollect that, in the course of the last session, language was held on this subject which he trusted would never be repeated. It was asserted, that the landlords in England were like the lords of the soil in Poland and Russia, who, when they were themselves satisfied whatever became of their unfortunate tenants, considered that all was well. Nothing could be more opposite than the character and conduct of the landlords in England and the lords of the soil in the countries alluded to. In the latter, the situation of the tenant was that of slavery; or at least their institutions were so much mixed up with feudal obligations, as very much to resemble slavery. What was the situation of the tenant in this country? The proprietor of the land was satisfied with a fourth, or, where it was highly cultivated, with a sixth of the produce as rent; and such was the reciprocal confidence between the landlord and the tenant, that the most beneficial effects resulted from it to both. It was much to be regretted, therefore, that a comparison so unfounded had ever been instituted. The noble lord had, in his opinion, treated the subject exactly as it ought to be treated; and he begged leave to repeat his thanks to him for it. In looking at the distress of the landed interest, the House would allow him to disown all idea of relieving it at an expense of any other class of the community—of the commercial, the monied, or manufacturing interests. The relief to the agricultural classes, of whatever nature it might be, could never be effectual, if it went to the injury of any other class of the community. In the great discussion which took place in 1811, on the bullion question, the principal argument was between Mr. Horner and Mr. W. Elliot, both men of very superior talents. The difference between them was this. Mr. Horner maintained, that no political danger should induce the House to depart from the sound principles of commercial prosperity. Mr. Elliot, on the contrary, argued that he could not conceive how political danger could be co-existent with commercial safety. Which-ever of those able men was in the right,

no one need be ashamed of placing himself under the authority of either. What he wanted was, a distinct explanation from the noble marquis as to the principle on which it was the intention of his majesty's government to proceed. If there were to be the slightest relaxation of the existing system, parliament would reduce to a complete wilderness those unhappy soils once the seat of cheerful industry, but now disburthened by poor, whom it was difficult to know how to sustain, or how to remove. Thus circumstanced they would doubly feel the pressure of the taxes which it was declared by his majesty's government it was not consistent with the maintenance of national faith to repeal. This was at war with the principle asserted by a great man, "that no interest in the state ought to be called upon to contribute beyond its ability." It militated also against the opinion contained in the report of the committee of the House last year, namely, "that taxation, if measured by population, is heavier in England than in any part of Europe, if measured by capital it is lighter." If that position were not true, he would not trouble the House with any argument upon it; but if it were founded on any thing like truth, what would become of the parts of the country to which he had already alluded? He understood that the author of the report of the committee of 1814 was the same individual as the author of the report of the committee of 1821: or at least that, if he was not the author of the report, it had his decided support. The report of 1814 began thus:—"it appears to your committee to be established by all the evidence, that within the last twenty years a very rapid and extensive progress has been made in the agriculture of the united kingdom; that great additional capital has been skilfully and successfully applied, not only to the improved management of lands already in tillage, but also to the converting of large tracts of inferior pasture into productive arable, and the reclaiming and inclosing of fens, commons, and wastes, which have been brought into a state of regular cultivation." Then came a passage to which he wished the attention of the House to be particularly directed—"That many extensive enterprises, directed to the same important objects, are some of them still in their infancy; that others, though in a more forward state, do not yet make any return for the large advances which have been laid out upon them; and that these advances in many instances will be a total loss to the parties (involving also the loss to the nation of the produce, which in a few years might be expected from such expensive undertakings), if, from the want of a sufficient encouragement to continue them, they should be abandoned in their present unfinished state." That was the way in which the report began. He would now read its close:—"They are convinced, that a reliance on foreign importation to a large amount, is neither salutary nor safe for this country to look to as a permanent system; and that many of the sacrifices and privations to which the people have been obliged to submit, during the late long and arduous contest, would have been materially alleviated, if their means of subsistence had been less dependent on foreign growth. If, compelled by the frequent recurrence of those sacrifices and privations, the country has at last made exertions which will enable us under ordinary circumstances to hold ourselves independent of the precarious aid of foreign supply, your committee, without venturing to suggest the mode, cannot doubt that it will become the wisdom, and will consequently be the policy of parliament, on the one hand, by protecting British agriculture, to maintain if not to extend the present scale of its exertions and produce, and on the other, consistently with the first object, to afford the greatest possible facility and inducement to the import of foreign corn, whenever from adverse seasons the stock of our own growth shall be found inadequate to the consumption of the united kingdom." Such were the principles on which the report of 1814 had proceeded. The question that he wished to put to the noble lord was, on what principle it was the intention of his majesty's government to proceed? He was confident that no one who heard him would for a moment suppose that he wished to rake up an angry discussion on the corn laws; but, such were the difficulties of our situation, that some decided conclusion must be come to on the subject. No person could doubt the ability of the right hon. gentleman below him. Let the peroration of that right hon. gentleman's speech in March 1815, be remembered, in which he conjured the House to agree to the measure of prohibition, with reference, not to the interests of the agriculturists alone, but to those of the artisans, the manufacturers, and the

whole community. He trusted the House would have the benefit of the whole force of the right hon gentleman's understanding exerted on this most important subject.

Mr. *Davenport* said, that from the flourishing description which the noble marquis had given of the state of our finances, he hoped there would be some reduction of taxation, which now bore so heavily on the country. The noble marquis had stated, that the taxes on the farmer were not more than five per cent. on the incomings and outgoings of his farm. Now, in answer to this, he would state, that in Cheshire, the occupiers of dairy farms paid five per cent. on one article of consumption alone; namely, that of salt; the tax on which he considered the most oppressive that ingenuity could devise.

Mr. *Curwen* was anxious to know, whether the noble lord meant to open the whole extensive question which had last session occupied the House. If so, he was persuaded little would be done with it during the present session. Did the noble lord wish for further information as to the distressed state of the country? Was it for that the noble lord wished to open the question? If so, the committee would spend the whole of the session as they had spent the last, and would come back with a similar report. Instead of referring the subject to a committee, it was the duty of government to be prepared with a measure. He wished the noble lord would take the subject into his own hands. No man could do more justice than the noble lord had done to the subject in the committee last year. The noble lord must be aware, that if it were again sent to the committee, a great diversity of opinions would necessarily arise, and, after all, the committee would make just such a report as the noble lord and his friends would recommend. Thus the session would be allowed to pass and no measure would be adopted to prevent the possible influx of foreign corn. He would ask whether the country ought to be left in this uncertain state—whether something should not be done to ascertain the price at which importation should take place; unless the noble lord wished this country to be placed in the situation in which he had described Silesia to be, where the price of corn would not pay for its removal from the ground. The noble lord perhaps considered that he was taking a great step towards relief, in removing a part of the malt-tax—that tax of which, when the repeal was formerly talked of the noble lord had threatened to resign if the House consented to it: but let him consider, that even according to his own showing, the taking off of a shilling a bushel duty would give no sensible relief. The noble lord, after estimating the taxes on the farmer, at five per cent. offered him a relief of one half per cent. He could tell the noble lord, that it would be a relief to the farmer not of five per cent. but of 20 per cent. if the taxes on barley, salt, leather, soap and candles, were taken off. As to the sinking fund, he should be extremely sorry to go the length of recommending that it should be wholly relinquished; as such a measure might have a very unfavourable effect on public credit. But, on the other hand, it was of extreme importance, that at the present moment as much relief should be given to agriculture as it was possible to afford to it. Why could not the noble lord let the sinking fund wait a little? Why could not the noble lord let the million which he anticipated in the next year, and his expected resources in subsequent years, go to the sinking fund, and in the mean time give the agricultural interest an immediate four or five millions? He could assure the noble lord, that a great alarm existed in the country on the subject of the existing difficulties. He was ready to allow that alarms of any kind might be pushed to too great an extent; but the fact was, that such an alarm did exist, and might be productive of the most serious consequences, unless means were taken to tranquillise it. In one of the suggestions of the noble lord the other evening he was much disposed to concur; namely, to create a fund of a million for the purchase and storing of corn, whenever an over supply depressed it below a remunerating price. If the late harvest had been well got in, there would, he was persuaded, have been a thirteenth more produce than an average crop; in which case, the application of a million to purchase 500,000 quarters of corn with which the market might have been gradually fed, would have been most beneficial, as it would at once have relieved the farmer, and have prevented the influx of foreign corn. The steadiness of the market, under such circumstances, would also be highly advantageous to the manufacturer. With respect to the best mode of preventing the admission of

foreign grain into the country, no question could be of greater importance, or involve in its determination a larger portion of the community; for, whatever destroyed the farmer's ability of purchasing from the manufacturer, must of course, be essentially injurious to the latter. He was convinced that no time was to be lost; and he repeated, that he thought the noble lord might have been perfectly prepared to bring forward the great question at issue, without any further reference to a committee. He had listened to what had fallen from the hon. member for Suffolk with considerable surprise. That hon. member concurred with him, that the distresses of the agriculturists were great, and that those distresses were daily increasing. He would ask that hon. gentleman what would be the opinion of his constituents, when they heard that, after having made that declaration, he nevertheless thanked ministers for the very insufficient relief which they proposed to give? He was surprised, at the praise which the hon. member had bestowed upon the ministers, for doing that now, which they might as well have done last year. If such was the language of the county members, he despaired of any relief. If, on the contrary, they had held a high and bold language to the ministers, instead of one million, he had no doubt they should have had five millions, of taxes repealed. Of the effect of such a measure, they might judge by the pressure of the taxes on the labourers. Take the salt tax for instance. The labourer's pig was to him a sinking fund: from the high price of salt he was not able to salt it, and selling it was quite out of the question. He had hoped to see not only the salt tax, but the taxes on leather, soap, and candles repealed. The repeal of those taxes would be a saving of 20 per cent on the farmer's expences, which, with 20 per cent. on the reduction of rent, would amount to 40 per cent. With this the farmer might have gone on. The hon. member for Norfolk had told them, that in his county the paupers increased. This he believed to be the case in every part of the kingdom. The most industrious and meritorious class of the community, the agricultural labourers, were broken down to pauperism or beggary. As the noble lord had given up to them a million on malt, he hoped the concession would be followed up by some other reduction. He did not ask them to abolish the sinking fund; but the noble lord should defer his project of swelling it and thereby save the country from distress and ruin. The noble lord had dwelt upon the fact, that the revenue was increasing. True, it was so; but on what principle he could not conceive. Seeing the universal suffering that prevailed in the country, how the revenue kept up, he did not know. If, however, the taxes were taken off, the consumption of agricultural produce would be increased, and the farmer would then be relieved from whatever he suffered from excessive produce. They might, he hoped, meet the noble lord at some middle point; that, as they asked every thing, and he refused every thing, they might agree on some compromise which might afford a chance for the renovation of agriculture. He wished the noble lord had been with him that morning at Smithfield, and seen the state of the first market probably in the world, where 1000 head of cattle were driven off, because they could not meet with purchasers. He should not oppose the appointment of the committee; but he should wish its sittings to be confined to this side of Easter; that time might be given to take some measure on their report before the end of the session.

Mr. *Benett*, of Wiltshire, said, he concurred with the hon. member for Norfolk in his praise of the speech of the hon. and learned gentleman (Mr. Brougham), but he did not concur with him in differing from the hon. and learned gentleman's conclusions. He certainly had never heard any subject so clearly stated, or so convincingly reasoned on; and the country was deeply obliged to the hon. and learned gentleman, not only for the eloquent manner in which he had stated the claims of the agricultural interest, but for the sagacity with which he had indicated the mode of relieving them. He concurred in thinking, that on the subject of the distresses of the farmers, and the means of affording relief, the noble marquis should be more explicit; for, except that 1*s.* a bushel was to be reduced on malt, and another agricultural committee was to be appointed, the House had yet heard nothing on which a hope of relief could be founded. He was satisfied that considerable disappointment would be felt throughout the country, at hearing that this committee was to be appointed, without any specific object being pointed out

for its consideration. What could be expected from such a committee? Neither the House nor the country wanted to find out the cause of the distress. Relief from its pressure was generally desired; but, after what had fallen from the noble marquis on this head, what could be hoped for, from a committee so appointed? Without going into any inquiry as to the various causes from which the agricultural distresses were said to have arisen, he would state what, in his opinion, was the principal cause. He considered it chiefly to have proceeded from a transition from a state of war to peace. One of the operations of the war had been to raise the price of every article of consumption, and particularly of agricultural produce, to an extraordinary height. In the course of it our commerce, agriculture, and manufactures, were in a most flourishing condition; but, as the permanence of that state of things depended on a continuance of the causes out of which it had grown, it was a natural consequence that, those high prices subsiding, our commerce and manufactures should return back to their former state. In this transition, the agriculture, though more slowly, felt a severe change, and was at last reduced to that state from which it was now sought to relieve it. Another cause of the agricultural distresses was, the importation, after the peace, of a vast quantity of corn from countries comparatively untaxed. To remedy this, the corn bill was introduced; and it was thought that a monopoly of the home-market would be thereby secured to the landed interest: but this remedy failed when its aid was most wanted: for in 1818, by the rise of the prices to the maximum standard, the ports were opened, and the country was inundated with foreign corn. For his own part, he had never been a friend to the corn bill. He thought it proceeded entirely upon wrong principles. He would admit that we could not compete with foreign countries, which, from a variety of causes, could grow corn much cheaper: but then, rather than a prohibition, he would return to the old and sound principle of a duty, whatever might be its amount. He was not an advocate for high prices; for he considered that low prices would, in the result, be for the advantage, not merely of the manufacturing classes, but of the agriculturists themselves, and would afford a better protection than a corn bill. But, then, these would always depend in a great degree, on the state of taxation, which generally fell with tenfold pressure on the poor. It was easy to say, that a tax pressed hard upon this or that article of consumption, but those who said so did not often consider its various ramifications, and the very many ways in which it entered and encroached upon the poor man's comforts. He would show one instance of the inequality of its pressure upon two classes. Take the tax on salt or malt. The poor man consumed as much salt as the rich, and perhaps a little more malt: so that in the consumption of those articles, the poor man paid as much as his rich neighbour, who perhaps possessed one hundred times greater means of supporting the expense. The hon. member for Portarlington had said, that all taxes eventually fell on the consumer. This would be true enough, if the growers of corn in England enjoyed a perfect monopoly. But he was sure the hon. member would allow, that as the taxes had a tendency to raise the price of corn in proportion to their amount, so the taxes must cause distress when other circumstances depressed the price below the cost price. They had now been presented with the ministers' plan for the relief of distress. They were to borrow money to support the sinking fund! He had long considered that this fund was only a means of delusion; but if ever there was a proper time for putting an end to it, it was the present. As to the loans to parishes, on the credit of the poor-rates, it would be altogether futile. He knew of no parish in which such a loan would be accepted; because, as security was given for the repayment, the parish accepting the loan would have, in a subsequent year, to pay double rates, with the addition of the interest on their amount. Another plan of the ministers' was to purchase up corn. He knew not how this was to operate for the relief of the country. If the corn was so damp at present as to be forced into the market, what would be the result of laying it up in public granaries? He did not like to use the term ridiculous; but he was compelled to say, it was the most absurd proposition he had ever heard advanced. It had been well said, that the best public granaries were in England found that those granaries were the stacks of the farmers. Those ample stores were brought out by high prices, and thus tended to equalize the

supply, and prevent the horrors of scarcity.—The next measure proposed for the relief of agriculture was, the reduction of 1s. on the malt tax. That, as he calculated, was equal to about one per cent on rent, as the farmer could only find relief from it in his capacity of a consumer. If the whole of the malt tax, indeed, were taken off, the consumption would be probably so increased, that the price of barley would be affected; but a reduction of 1s. per bushel would be an almost immaterial relief to the farmer.—Another cause of the present distress was, the recent change which had taken place in our currency. He did not, however, think that the currency as it now stood ought to be disturbed. The great evil was, the original departure from the sound metallic standard, from the fear that if it were continued, the gold would all go out of the country. But gold would ever go, in spite of all obstructions, to the country which wanted it most. It was like a stream, and would find its level. In a wrong view of this subject, the Bank-restriction act was passed. However, the currency was now restored, and he would not disturb it. It did not follow, because our ancestors, thirty years ago, committed a robbery, that we should do the same thing to day. No; he would now let the currency rest; though it could not be denied that the effect of the change had been a benefit to every creditor, public and private, of thirty per cent, and a loss to every debtor, public and private, to the same amount. He did not think the noble lord's plan for lessening the interest of part of our debt would be so effectual; for it should be considered that in lessening the interest, they lessened the value of money also. But it appeared to him, that in examining the supposed remedies for our distress, the House were losing sight of the real and effectual one—the most rigid economy and retrenchment. This was the remedy that must be at last resorted to, unless it was meant to be held, as it was contended by an anonymous writer in the "Times" Journal, under the signature of "Abraham Tudela," that taxation was a benefit to a country, and that a great national debt was great national wealth—positions so evidently at variance with the fact, that he would not stop to refute them. It was unfortunately pretty obvious, that, at the present moment, no reduction that could be effected in rents would really and effectually benefit the farmer. Reduction of taxation, offered a better and a more tangible mode of permanent relief; and to that only could he look with any confidence of a favourable result.—He would now offer a word or two as to the relative situation of the landed and funded interests of this country. The House had been continually told, that we must preserve faith with the national creditor, and nobody could more warmly advocate that principle, or more readily confess its perfect justice, than himself. But they had been also told, in the same breath, by the hon. member for Portarlington, that all the land in the country was mortgaged for the entire amount of the national debt. He admitted that all the land in the country was mortgaged for a certain proportion of that debt; but he denied the principle in that extent to which is had been attempted to be carried. It was not the land only, but in point of fact the labour, the industry, the property, of the country, were severally mortgaged, on the same account, to the fundholder. The land-owners had certainly incurred very great debts, and they were bound to pay them: the amount was enormous, but he must say that the land-owners had, generally speaking, to thank themselves. When he said this he undoubtedly felt that no blame could attach to himself for what had passed: he had not been a party to those measures by which the great proportion of those debts had been incurred: but they who had concurred in them had very much, he repeated, to thank themselves alone for their present difficulties. Those gentlemen had supported all the extravagant propositions—had voted for all the extravagant grants—which the administration of the country had been in the habit of bringing forward for the last thirty years. Whether such a system of measures was or was not necessary to be upheld, it was not requisite for him now to inquire; but, certain it was, that hence had originated most of those evils under which the landed interest was now labouring. It was curious at the present moment to see hon. gentlemen, who had been amongst the warmest supporters of such a system, quarrelling amongst themselves as to the causes of the agricultural distress. He was as anxious as any man could be, that faith should be inviolably preserved with the public creditor; but he could not forbear saying, that, in these times, when

the value of money had increased, in the course of the period to which he had been adverting, upwards of 33*l.* per cent, he thought that those who received very large emoluments out of the public purse should voluntarily give up the amount of their salaries, or at least such a portion of them as might bear some relation to the altered value of money. By so doing, they might go far to enable the government to reduce a certain portion of those taxes which a depressed and impoverished country was now compelled to pay. Whatever measures the House might be disposed to adopt, he conjured those gentlemen who were land-owners to remember; that it was quite impossible to separate the landed from the other interests of the state; that it was quite impossible, consistently either with policy or justice, to dismember one from the other; but he hoped that, excluding the consideration of no class of the community, and combining their best efforts for the general welfare of the whole, they would devise such measures as might rescue the country from the evils which now impended over it; and which, if not averted by a prudent and timely interference, must overwhelm it.

Mr. *Stuart Wortley* said, that much blame had been imputed to his hon. friend, the member for Suffolk, for the opinions which he had expressed with regard to the exposition of the noble marquis. Now, he also must confess, that he had listened to the noble marquis with very great satisfaction; and thought that he had pointed out to the country means of relief much more immediate, effectual, and expedient, than any that could be derived from a reduction of taxation. When the hon. gentleman who spoke last said, that the landed interest had arrived at their present condition principally through their own fault, he was perfectly ready, for one—if any blame was to attach to them generally—to take his share of it. Far from regretting the share which he had taken in supporting the measures in question, he felt that, if the landed interest had not given that support to the government of this country, the hon. gentleman himself would have had a much less stake to preserve than what he now possessed. For his part, he always felt that in supporting that momentous war, he was supporting a war for the preservation of the liberties of the country. [Repeated cries of "hear," from the Opposition.] In spite of the cheers of the gentlemen on the other side, he did believe that if ministers had not persevered in that war, this country would have been a province of France. Therefore, any shame which was to be cast on those who had given them their support, he was willing to take his full share of. He was surprised to hear the observations which had that night fallen from the hon. member for Cumberland, and the hon. member who had just sat down. When they heard from the noble marquis that we had now a clear surplus of 5,000,000*l.* of income above our expenditure, and when they found that ministers, at the same moment that this surplus was announced, were enabled, in addition, to take off a sum of a million and a half from our ordinary annual expenditure, he must be allowed to say, that if this was an exposition not satisfactory to hon. gentlemen, he did not know what exposition would please them. He was aware, that many hon. gentlemen contended that there ought to be no sinking fund: he should not detain the House on this point, but he should think that even to those gentlemen the circumstance of our having such a surplus as 5,000,000*l.* must be satisfactory. He conceived that it was not material, whether they carried these 5,000,000*l.* to the sinking fund or not. He had no doubt that if parliament adhered to the sinking fund, or adopted any other scheme that should reduce the national debt in as short a time as possible, that proceeding must operate, in the most essential way, for the benefit of the agricultural interest; and this, in his opinion, hardly required demonstration, since it appeared to him as plain as that two and two made four. The operation of any such measure must ultimately be, to reduce the interest of money, and the effect of such a reduction he might thus exemplify:—Supposing a person possessed an estate of 2,000*l.* a year, which he mortgaged for 20,000*l.*, he must pay interest for that sum, at the rate of five per cent. which would be 1,000*l.* per annum. Now surely, if the consequence of such a public measure as he had adverted to should be to reduce that rate of interest—say by one or two per cent., this would be to enlarge the income of the land-owner, and to enable him effectually to lower his rents. The real distress of the land-owner was this—that he must now pay the same interest which he paid when the value of money

was much less than at present. If the land-owner could raise money at three instead of five per cent., it was clear, that in the case which he had put, there would be a difference of 400*l.* a year in his favour. But, when he declared that he thought the speech of his noble friend, on a recent occasion, most satisfactory, he wished to be understood why he thought so, and why in some respects he not only concurred with, but was disposed to go farther than his noble friend. They had heard that during the last recess government had effected reductions in the public expenditure to the amount of about two millions. Now, he begged to say, that he should expect his majesty's ministers would continue the work of retrenchment, and carry it as far as possible. It was no reason that they should cease to retrench, because they had already retrenched to the amount of 2,000,000*l.* It was the bounden duty of the government to proceed in this course; and he hoped his noble friend did not mean to lie on his oars, because he had already done so much. He trusted that he would go on to satisfy the just expectations of the country, by not relaxing in his efforts. As to the 4,000,000*l.* of Exchequer bills, which it was proposed to issue for the relief of parishes, he was free to say, that this part of his noble friend's speech gave him no satisfaction, because he did think it was quite impossible to apply those 4,000,000*l.* under the conditions of the plan, in any beneficial way whatever. With respect to the motion now before the House, he was surprised to hear the hon. member for Cumberland object to it; because he did think that they would now go into the committee with minds pretty well agreed upon the main points of their inquiry. Their great object must be, to prevent that excessive influx of corn which was likely to be poured into the country, immediately after the price of grain reached the *maximum* now established by law. He did not think there was any person who did not see the distressing effects which must be produced, the moment the price of corn should exceed, though by a single penny, the sum of 80*s.* If the House went into a committee, keeping this mischief steadily in view, he thought much good might be done.

Mr. *Ricardo* began by observing, that the hon. member had stated, that the operation of the sinking fund in the purchase of stock, would have the effect of reducing the interest of money, thus benefiting mortgagers and other borrowers, and in that way relieving the landed interest. But he begged to say, that the interest of money depended upon other causes. The rate of interest depended upon the profit that could be made upon the employment of capital; and that again depended upon the wages of labour, which were regulated, in a great measure, by the price of food. While a sinking fund was fairly applied, it might and would raise the price of stock; but it by no means followed, because the price of stock rose, that, therefore, the rate of interest would generally fall. He would not be understood to be adverse to the principle of the sinking fund, if he could be assured that it would be really applied to the liquidation of the public debt: but he found from experience, that, while the people were called upon to pay a large proportion of taxes for the maintenance of this fund, in the hope that it would be applied to the discharge of their debt, they experienced nothing but disappointment, through the manner in which that fund had been appropriated by the ministers. The existence of this fund would serve only to encourage ministers to engage in new wars, by facilitating the contraction of new loans. Such, indeed, had been the destination of every sinking fund which the country had known, from the plan of Walpole to those of the ministers who followed him. Mr. Pitt, notwithstanding the experience he had derived of the fate of all sinking funds, established by his predecessors in office, had been unable to secure his own. What a variety of expedients had been resorted to in order to keep up that system, and to secure the application of it to the purpose for which it was professedly designed at the outset. But they had all been ineffectual against the attacks of the present chancellor of the exchequer, a sinking fund which ought to be now above 20,000,000*l.* was so reduced that with the addition of 3,000,000*l.* of new taxes it only amounted to 5,000,000*l.*; and he had no doubt, whatever, that within a few years this grant would be found quite as inefficient as any that had preceded it. The hon. member for Wiltshire, had pronounced great praise upon the speech of his hon. and learned friend (Mr. Brougham); which was the more extraordinary, as the hon. member differed from all the main

positions laid down by his hon. and learned friend; for, in opposition to the views of the hon. member, his hon. and learned friend had maintained, that it was impossible to raise the price of agricultural produce: that the producer could not transfer the taxes imposed upon him to the consumer, in the same manner as manufacturers could; while the hon. member for Wiltshire had maintained, that taxation did tend to increase the price of raw produce, his doubt only being as to the time that would be requisite for such purpose. His hon. and learned friend had observed, that if a man embarked any large proportion of capital in manufactures, he might, by the use of improved machinery, and other means, contrive, not only to overcome any discouraging prospect which might appear at the outset to damp his speculations, but even to advance his profits beyond any thing upon which he could originally calculate. But the agriculturist, upon investing his capital, had no other remedy for any discouraging prospect, excepting time alone, while he was oppressed with certain taxes; for he would never make the consumer pay them. The hon. member for Wiltshire's observation, as to the time required to transfer taxes on raw produce to the consumer, was not applicable to the matter under discussion, because no new taxes had been laid on agricultural produce. If his observation had been applied to any taxes now for the first time proposed to be adopted, it would no doubt be entitled to attention. But it was to be recollected, that the taxes to which the hon. member had alluded, were, it might almost be said, interwoven with our general system of taxation, having existed for several years; yet that which had so long existed, was now by many persons set down as the cause of the low price of agricultural produce; and hence it was argued, that taxation was the cause of the public distress. But to the agriculturists he would say, that the only effectual remedy for their case was, to regulate their supply by the public demand; and, if they did not take special care of that, all other efforts must be unavailing. He had been represented by the hon. member for Wiltshire as to having said, that the land was mortgaged for the whole of the public debt. But he declared that he should have been quite ashamed to have made any such observation, as he only meant to say that which was his opinion, namely, that the land-owners were, as well as the other classes of the people, responsible to the fund-holders for the payment of their share of the debt [hear, hear!.] From the responsibility the fund-holder himself was not wholly exempted: towards the payment of his own debt he must himself be a large contributor. He did say, that it was for those who contended that the fund-holder received more than his fair share, to show the House how this had happened; and that if such were really the case, a proportionate abatement ought to be conceded. His hon. and learned friend (Mr. Brougham) in his last speech had remarked, that to raise the price of corn was impossible; and that, therefore, the remedy for the present depression must be by reducing taxes: but that, if this reduced taxation should not have the effect of placing the gentlemen of landed property in affluence—[cries of "No."]

Mr. *Brougham* observed, that the case he put on a former evening was that of the distress of the landed interest becoming intolerable.

Mr. *Ricardo* said, he might in some degree have misunderstood his hon. and learned friend, but he would offer a word or two on the subject of this distress. It was not very long ago since they were all in a state of the greatest alarm, on account of the distressed manufacturers. It was conceived that our manufacturers were declining and the most gloomy apprehensions were indulged on their behalf. But he then took the liberty of intimating his opinion, that those distresses were not permanent; and, happily, his predictions had been fulfilled. He was disposed to hope equally well of the agricultural interests; but not while such a system of corn laws as the present existed. He thought it was most desirable to fix some system by which the prices of corn might be rendered less variable, and by which a proper and adequate compensation might be secured to the grower. One of the measures of relief proposed was, an advance of four millions by the Bank at three per cent interest. This was an hazardous experiment, unless the Bank had issued four millions more than was necessary for the circulation of the country. The House would do him the favour to recollect, that, in the session of 1819, he expressed an opinion on the Bank question, for which he received a reproof at the time from an hon. director, that the Bank should not then buy gold, but rather sell it. His fears, he would confess, were now the other way.

Vast quantities of gold had been obtained by them to supply the circulation of this country; and he now begged the directors to consider whether they had more than was sufficient for that purpose; for if they had not, he was quite sure that the measure which they were about to adopt could not be expedient, for four millions could not be absorbed in our circulation. It was quite impossible that four millions could be added to the circulation, without affording a great inducement to export the gold. If the Bank had no greater quantity of gold than sufficed to carry on the circulation of the country, no measure could be more injudicious than this, as it respected them. If, on the other hand, having large quantities of gold in their possession, they issued four millions of additional currency, the effect would be, to promote the exportation of gold, to lower its value all over the world, and to turn the foreign exchanges against us. He gave the directors of the Bank full credit for their good intentions; he believed that men of higher honour or integrity could not exist; but he thought they had not a sufficient degree of talent for the management of so vast a machine as that with which they were intrusted. Once more he would intreat them to consider the matter well, in all its probable consequences, before they increased the present currency, by so large a sum as four millions. And here he would beg the House also to reflect what might have been the effect of the bill brought in by the right hon. gentleman (Mr. Peel), had it been fully acted on. He (Mr. Ricardo) had ventured to say, that its effect upon prices would be about five per cent. To that opinion he still adhered; and he thought he could demonstrate the fact. The state of our money system at that time was this:—gold was five per cent higher in value than paper; that was, a man having an ounce of bullion could perchase the same quantity of any commodity as another man could do with 4*l.* 2*s.* in Bank notes. The question was, how to make these two denominations of money coincide in value? It was quite clear, that if nothing was done to alter the value of gold, it was only necessary to raise the value of paper to the same level, and that then the sum of 3*l.* 17*s.* 10½*d.* in paper would purchase as much as the ounce of gold. After the right hon. gentleman's bill was brought in and had passed, he (Mr. Ricardo) regretted that it was not carried into effect in the method at first proposed; he referred to the intended payments in bars of gold bullion. If that plan had been acted upon, the Bank would have been competent to have answered all demands upon it with the gold then in their possession, how small soever that sum might have been. As they therefore, in that case, would not have affected the general value of gold in Europe, by making large purchases in other countries, the change could not possibly be greater than the difference between gold and paper, at the time of the passing of the bill. The bill of the right hon. member (Mr. Peel), he did not conceive to be materially different from the plan proposed by himself, for it established an intermediate system of payments in bullion, and did not make the payments in cash imperative till the 1st May, 1823. He could not imagine the reasons which had induced the Bank to commence cash payments at so early a period. He had always blamed them for being too hasty in their preparations; for if they had contented themselves with bullion payments, and the country had seen the advantage of that system, it might have been continued—as undoubtedly it would have been wise to continue it—and payments in cash might have been deferred some years longer. If the affairs of the Bank had been conducted with skill, the directors, instead of forcing so great an importation of gold, should have kept the exchange as nearly as possible at par. He repeated then, that the consequence of the law, if skilfully acted upon, was only to cause a rise of 5 per cent. But the Bank had acted very differently, and had imported a great quantity of gold; as much perhaps as twenty millions. This, of course, had created a change in the price of commodities, in addition to the apparent difference between paper and gold. The buying up of this quantity of gold must have affected a change in the value of it (as compared with other commodities) throughout Europe. What the amount of this change was, it was impossible to say—it was mere matter of conjecture. But when they took the quantity of gold in circulation in Europe into the calculation, and all the paper also, for that too must be reckoned, he did not conceive that it could be great, and he should imagine that 5 per cent would be an ample allowance for the effect. [Hear, hear!].—With respect to the 4 millions of Exchequer bills, and the mode of their

application which the noble lord had made a part of his plan, he was really astonished to find the right hon. member for Chichester (Mr. Huskisson), in a speech which contained many sound observations, supporting a system for lending the public money on the security of corn and poor-rates. Such a system was decidedly contrary to every established principle of political economy and common sense.—As to the effect and operation of taxes, he wished to make one or two observations. There were two descriptions of persons, producers and consumers, likely to complain to that House of the pressure of taxation. Against the producers he was prepared to say, he would shut the doors of that House. He would tell them they had the remedy in their own hands; that they must regulate their own price, by making the supply square with the demand. But to the consumers on whom the taxes really pressed, he would say, the doors of the House should be always thrown open. When they said that their income was unequal to their expenditure, and that taxes prevented them from procuring the comforts and enjoyments to which they were accustomed, he would say, that their prayers were entitled to the utmost attention, and that the taxes should as far as possible, be removed. Now, he would ask gentlemen, to whom they supposed the repeal of the malt tax would be a benefit—to the farmer who produced it, or to the general consumer? He should say to the consumer. And so on of the salt, the soap, and other taxes, which affected articles of general consumption. That would be his reason for calling for the repeal of these taxes; but not at all from the impression that those taxes were duplicated or triplicated by dealers or sellers, His hon. and learned friend seemed to think, that if a commodity changed hands two or three times, each dealer would charge 10 per cent on the amount of the tax; so that, after various changes, it might be increased to an almost indefinite amount to the consumer; but, if these two or three changes took place in the course of one year, 10 per cent, supposing that was the ordinary rate of profit per annum, would satisfy all the persons through whose hands it passed. He had been represented, very erroneously, to have stated that reduction of taxes was not a benefit. But the contrary was the fact. He always thought that taxes were injurious, but they affected all classes of consumers, and the repeal of any one of them would not be particularly serviceable to the agricultural class. His hon. and learned friend observed, that if the quantity of capital were increased, it was an axiom in political economy, that profits would be diminished. Far from that being the fact, he denied the position altogether. If the capital of the country were doubled and the price of provisions lowered, he would have no doubt that the rate of profits would not be reduced. But with the continually increasing population of England, they could not have low prices of corn, if they did not import foreign corn. He would not at this moment propose an importation free of all restraints, but he would agree to a protecting duty (the amount he was hardly capable of fixing), gradually declining till the duty was equal to the peculiar burthens to which the farmer was liable. The hon. member after a recapitulation of his remarks, and characterising in strong terms of reprobation the impolicy of the system of lending the public money upon the security of corn or poor's-rate, concluded with observing, in reference to what had fallen from the hon. member for Wiltshire as to the increased amount of taxation which the landowners and farmers had now to pay in consequence of the depreciation of the currency, that the fundholders were subjected to the same advance upon the taxes, although that class of proprietors had not derived any additional advantage from the war or its consequences, as Mr. Mushett had most satisfactorily demonstrated.—[The hon. member sat down amidst loud and general cheering.]

Mr. *Manning* defended the conduct of the Bank in carrying into effect the measure of restoring the currency. The directors had a difficult duty to perform in fulfilling the intentions of parliament, and they had performed that duty to the best of their ability. He denied the assertion, that the Bank, in resuming cash payments had narrowed the circulation so much as to produce the prevailing distress, and showed that, including jointly the paper and gold which had been issued since the passing of Mr. Peel's bill, our currency was greater by one million than before. The depressed state of agriculture was therefore to be ascribed to different causes. Among these was the superabundance of produce occasioned by successive plentiful harvests and extended

tillage. The farmers having no demand for this excess, could not obtain that accommodation from the country bankers which they were accustomed to receive when markets were more prosperous. The hon. gentleman proceeded to develope these ideas, stating as proofs of extended cultivation the number of enclosure bills passed at different periods within the last forty years.

Mr. *Sykes* said, he was anxious to bring back the debate to the question at issue, which was, whether or no the Corn Committee should be revived. After having heard the speech of the hon. member for Suffolk supported by that of the hon. member for Cheshire, he confessed he saw no good in going into a committee a second time. The hon. gentlemen had admitted that they had been completely mystified by the right hon. gentleman who drew up the report; and, according to the language of the member for Suffolk, dust had been thrown in their eyes, for the purpose of hindering them from seeing the real situation of the country. He therefore could see no advantage in going over the ground again; for if twenty gentlemen had employed the whole of last spring in pursuing an inquiry which had only produced a report contradictory and inconsistent in many parts, and delusive and unpractical on the whole, he could see no prospect of a different result in the present session. It would end, as the last had done, in the country gentlemen being mystified, and the agricultural interest being disappointed. It was, however, a consolation to him, that gentlemen were now shaking off the dust which had been so profusely thrown in their eyes, and that the hon. members for Suffolk, Cheshire, and Norfolk, were beginning to take a correct view of the conduct of ministers. He could not say that he heard with the same pleasure the speech of his hon. friend, the member for Yorkshire: for he never was more surprised than when he heard him express his almost unlimited satisfaction at the speech of the noble marquis, the other night; and he listened with all his ears to learn the cause of his hon. friend's complacency. This pleasure he found was derived from the noble lord's statement, that, in the next year, he should have a sinking fund of five millions. But, did not his hon. friend recollect, three years ago, the chancellor of the exchequer held out the same hopes —aye, and carried his expectations to the amount of eight millions; and had he not experienced how those hopes had been disappointed? Again, the hon. member derives great consolation from the rise in the public funds, and thinks, that by this means the interest of money will be lowered. The fallacy of this hope has been well exposed by the member for Portarlington, who had clearly shewn the grounds on which the rise and fall of interest depend. But, independent of this, what relief would this give to the present distress of the farmers? Could a contingent, distant, precarious lowering of interest give the means of living to the ruined tenant, or put rents into the empty pockets of the landlord? The relief they wanted was something prompt, immediate and comprehensive as the evils they laboured under. If the hon. member had been advocating the cause of the fund-holder, his satisfaction was very natural; but how the agricultural interests were to be amended, he was totally at a loss to conjecture. And if his hon. friend was satisfied with the plans of the noble lord as a measure of relief, he could only say he was the most easily satisfied, good-natured gentleman he ever met with. But he hoped the next time his hon. friend presented himself to the freeholders of Yorkshire, it would be as the friend of the fund-holder, and not of the farmer. He should now proceed to examine the plan of the noble lord. He must confess, that, so far from deriving any satisfaction from it, it filled him with surprise and disappointment; he might almost say, with consternation. He said this, not in the spirit of hostility to the noble lord; for he could assure him that if his hon. friends below him were transplanted to the other side of the House, he should address them in the same language, and urge upon them the same arguments. In fact, he agreed with the noble lord in many of the views he had taken of the subject. He agreed with him in thinking it necessary, that we should have a sinking fund, that is a clear excess of receipt beyond expenditure; but, he did not approve of a sinking fund in its ordinary sense. He also coincided with the noble lord in thinking that the distress would be only temporary; for he conceived it to originate principally in superabundance, aided, no doubt, by the alteration in the currency. This might be removed or mitigated in a few years, when that excess, the causes of which were easily accounted for, should be remo-

ved. But, as long as it continued, it was a sore and pressing evil. It would ruin, he had no doubt, the present cultivators, and greatly damage the land-owners. Relief must be applied, and that immediately. It could not be administered by the noble lord's plan of running up one of the public stocks, and running down another, or by his poor and pitiful relief from taxation. What! after the poignant distress of the country had been so clearly proved and so fully admitted, and after economical relief had been recommended by a resolution of this House, at the conclusion of the last session, was all the measure of relief, proposed by the noble lord, to consist in a reduction of a shilling a bushel in the malt duty? This was the mighty boon of the noble lord to the suffering interests of agriculture! This was his only relief to the farmer without a market, and the landlord without rent! The only two sources of comfort which he opened, were the prospect of reducing the interest of the public securities, and a remission of a part of the tax on malt; and neither of these had the essential quality of effecting an immediate alleviation of a pressure which was almost intolerable.—But the noble lord; broached another scheme, namely, an issue of Exchequer bills, the most objectionable and unstatesmanlike that had ever been mentioned in parliament. If such a measure were ever carried into execution, the effect of it must be this: Supposing the amount of currency at present sufficient to carry on the business of the country, an issue of Exchequer bills, to the amount of four millions, must just displace so much gold coin, which would disappear from circulation. The four million of Bank notes thus thrown into circulation would thus be, *pro tanto* a repeal of the bill of the right hon. gentleman opposite (Mr. Peel). Considered as a project to relieve agricultural distress, it was the most silly, inefficient, and absurd, that ever entered the head of man. To advance money by means of such a loan, on security of the parish rates, would be nothing else than imposing a dead weight of debt on land already unable to support its burthens. But, supposing this evil was surmounted, there was still another objection to the measure, which must strike the least attentive observer. The persons who borrowed the money from government would be liable to all the hardships and oppressions of the law of extents, that is, their property might be seized for the public, and their bodies thrown into gaol, where they might be confined for years—instances occurring where an imprisonment of 15 years had been inflicted on those subject to the extent law. And was this the condition to which the gentlemen of the country were to be exposed? Was this all the relief proposed by the noble marquis for the suffering land-owners and farmers of England? And yet, in the face of such remedies as these—with such prospects as these held out to the distressed agriculturist—his hon. friend, the member for Yorkshire, congratulated the country on the statements of the noble lord! But the House ought to consider whether there was not another and a better remedy. When a country suffered from want of a market for its produce, and when that country was burthened with a load of taxation, which aggravated the evils incident to reduced prices, the only practicable mode of relief would seem to consist in a reduction of taxes—the only element of the distress which government could remove. That reduction ought, in the present circumstances of the nation, to amount to five or six millions at least. They would thus get rid of the duties on soap, leather, and salt, in addition to some of the assessed taxes. When the noble lord promised in his statement a reduction of the public burthens, he expected something on this scale. What, then, was his surprise to hear only of a deduction of 1*s*. from the bushel of malt? The large retrenchments which he had recommended would be so far from injuring public credit, that they would confer upon it additional consolidation and security. Our large establishments offered ample means of relief in their reduction, without any detriment to the public service. The army, which in 1792, cost the country only 2,000,000*l*. might surely now, in a season of distress, be reduced to a lower expenditure than 8,000,000*l*. The Navy, Ordnance, and Civil list could bear similar reductions, as had been often shown by the hon. member for Aberdeen. If, in 1792, the different establishments of the country could be maintained at the expense of 7,000,000*l*. were there, in the present times, any dangers to require, or any resources to warrant, an expenditure of triple that amount? He was willing to concede to the noble marquis, that the half-pay and allowances imposed a dead weight on the country, with which parliament could not interfere; but, making all

allowances for this, such establishments as were proposed ought not to be maintained. The army, it appeared, was not to be reduced by the noble marquis, who considered it as the "guardian of public liberty." Of all the extraordinary uses of a standing army that had ever been mentioned, he (Mr. Sykes) considered this the greatest. He had often heard a free press called the bulwark of public liberty: he had often heard parliament so designated: he had often heard the preservation of our freedom ascribed to the impartial administration of justice in our courts of law; but this was the first time that he ever heard of our owing the security of our freedom to the bayonets of a standing army. No wonder that the noble marquis felt so anxious to preserve our military establishments on the most extensive scale, when they served so important a purpose. In conclusion, he would call upon those hon. members who were connected with the agriculture of the country, and who complained so loudly of public distress, to join in compelling the ministry to effect those reductions by which alone that distress could be alleviated [The hon. member was greatly cheered in the course of his speech].

Mr. *Peel* observed, that the hon gentleman who had just sat down had opened his speech by stating, that he would call back the attention of the House to the question before it. But if this was his mode of confining himself to the subject under discussion, he could not conceive how largely the hon. gentleman might think himself entitled to expatiate, when the whole question of agricultural distress should be brought forward. In offering himself to the House, he would rather follow the example of the hon. gentleman, than his precept. In the first place, he begged leave to make a few observations on the bill that went by his name, however small a portion of merit he had in the measure—a bill that had of late been the subject of discussion with every one who speculated on the prevailing distress, both within and without the walls of parliament. From the share he had in introducing it, as chairman of the committee at which it was recommended, he might be allowed to say a few words on its character and effects. At the time that he presented it to parliament, and when it was more popular than it was at present, he had arrogated no merit for the work—he willingly gave it to those to whom it was due; and now, when it was viewed with a less partial regard, he would still renounce the merit, and take his share of the responsibility. He confessed that after all that had passed—after the measure had been opposed, sometimes by argument and sometimes by clamour—he was still as much disposed to maintain its justice and policy, as he was when it was first introduced. He would not shelter himself under the immense majority who concurred with him on that occasion—he would not shelter himself under the great authorities who sanctioned his views—he would not shelter himself under the consideration, that party feeling was at that time laid aside, and that all sides agreed in passing a law which was thought necessary for the safety of all. Notwithstanding the evils ascribed to it, notwithstanding the disapprobation since expressed, he was prepared to maintain that there was then no alternative—that the measure was in itself wise and conducive to the general interests of the empire—that the agricultural interests had not been depressed by its operation—and, consequently, that whatever depression they had since experienced was in no peculiar degree to be ascribed to it. He would contend, that it had promoted the general interests; and that agriculture, which had not been injured by it, would soon feel what the manufacturing and commercial interests had already felt. It was natural and common to feel acutely the evils that pressed upon us, and to shut our eyes to those from which we had escaped. He would therefore beg leave to recall for a moment the year 1819, and ask the House to remember the situation in which the country was then placed. Let the House look to the internal state of England—let them read the reports of committees of parliament—let them recollect the distress that pervaded the manufacturing district, in Derbyshire, Lancashire, Nottingham, and some other counties, the people were goaded by distress to nearly open rebellion; and let them recollect, that their disaffection and tumults were ascribed to the miseries arising from insufficient wages. At that time we had great establishments. Our manufacturing and commercial transactions were on a scale of immense magnitude; but they were not sound, because the manufacturers depended on a state of the currency that gave no security. He

would appeal to an example to prove what what he said. A petition was presented in that year from Coventry, complaining of the sufferings of the persons engaged in the ribbon manufactories, which was referred to a committee. It described the distress of the petitioners as overwhelming; and stated that many of them were driven for subsistence to the poor-rates. The cause was the low rate of wages. The quantity of goods manufactured was not diminished; but the wages of the manufacturing labourers were so reduced; that they could not furnish the means of living. Out of the 40 counties in England, 23 had reached their maximum of assessment for poor rates in 1818, the year before the return of cash payments. The same cause of the depreciation of the currency had always produced the same effects. In the time of queen Elizabeth, from the discovery and working of the Spanish mines, the value of money fell, and the fall was aggravated by the debasement of the coin. The effect was great distress arising from insufficient wages. In the discussions which took place on the bill he had brought in, for restoring a metallic currency, it was argued, that the pressure of the measure would be severely felt on our revenue and on the manufacturing and commercial interests; but nobody predicted similar consequences on the state of the agricultural population. If, then, in opposition to those forebodings, our revenue had increased—if our commercial transactions had extended—if the state of our manufacturing population was greatly improved, what reason had we for believing that the change in the currency had been detrimental to agriculture, on which its injurious operation was not anticipated? What greater good could be effected than the reduction of the poor-rates, which must be ascribed to the additional means of living, conferred by the rise in the value of wages produced by the restoration of the metallic standard? He did not say that the reduction of poor-rates was to be ascribed entirely to this measure, though it was natural to suppose that it had the greatest share in the result. In every county in England but one, the rates had been reduced. If, then, he saw all the counties of England, with one exception, reducing their poor-rates to a great amount—if he saw Nottingham reduce them 16 per cent—if he saw Sussex, where the reduction was least, effecting a change of this kind to the amount of 3½ per cent—and if the only county in England where there was an increase was a county not peculiarly agricultural (Cumberland)—if he saw all this take place since the passing of the bill, was he not entitled to conclude, that it was to be ascribed to the operation of that bill, and therefore to infer that it was not the cause of the agricultural distress? That there had been a great reduction in the value of agricultural produce must be admitted; but he could not allow that the depreciation was caused by the alteration in the value of the currency. The same fluctuations in the price of corn, which were now the subject of complaint, had taken place in other periods of our history, when the currency was not affected by the operations of the Bank. Upon looking over some returns, he found, that in 1774, wheat was only 33*s*. per quarter; in 1777, 39*s*.; whilst, in 1801, it was as high as 108*s*., and sunk again, in 1802, to 67*s*. and in 1803, to 56*s*. He could not agree with those persons who attributed the depreciation in the price of corn to foreign importations. He was of opinion that the depreciation would be occasioned by any excess of supply over the demand. The doctrine which was laid down by Mr. Tooke in his evidence before the agricultural committee appeared to be well-founded. That gentleman stated, that an excessive supply produced a greater effect in the corn than in any other market. He believed that to be the case. If the excessive supply was in an article of luxury, the effect would only be to increase the consumption of the article, by bringing it within the reach of a greater number of persons than were before able to purchase it; but that was not the case with respect to an excessive supply of corn because the same average quantity was always consumed. If, therefore, it were true, that an excessive supply of corn had the effect of depreciating the price of that article, could it be material whether the excess was occasioned by abundant production in our own country, or foreign importation? If the markets were glutted, it mattered not from what source it proceeded. It might be contended, that his reasoning could not apply with respect to the abundant production of corn in this country: but why should it not apply with respect to the abundant production of corn in this country: but

why should it not apply with respect to importation from Ireland? He was most fully disposed to acknowledge the justice and expediency of that measure which permitted the importation of corn from Ireland; nothing could ever induce him to deprive Ireland of that indulgence; but, at the same time, he could not close his eyes to the consequences which resulted to the agriculture of England from the importation of Irish corn. It was impossible for him to look at the large quantities of corn which had lately been poured into this country from Ireland—greater than at any former period—without thinking that they must have had the effect of depreciating the price of corn here. It was very natural, upon the cessation of the war, that the rich pasture lands of Ireland, the produce of which had formerly supplied the contracts of government, should be broken up and devoted to the cultivation of wheat, which could be raised at less expense, and probably sold at a less price than the corn of this country. The consequence had been enormous importations of corn into this country from Ireland, which he could not help thinking must have had the effect, by glutting the market, of lowering the prices here. He should now state to the House the amount of corn imported into this country from Ireland for certain periods. In the seven years, from 1800 to 1807, the quantity imported amounted to 2,355,000 quarters; in the seven succeeding years, ending in 1814, the quantity imported amounted to 5,045,000 quarters: and in the seven years, ending 10th October, 1821, it was increased to the enormous quantity of 7,630,000 quarters; being more than three times the quantity imported in the seven years first mentioned. In the two last years of the seven ending in 1821, three millions of quarters had been imported. In the year 1820, 1,425,000 quarters, and in the three quarters of a year, ending the 10th October, 1821, the amazing quantity of 1,502,000 quarters had been imported; being nearly double the quantity ever before imported from Ireland in one year. He did not mean to say, that a stop ought to be put to the importation of corn from Ireland, but it was at the same time impossible for him to shut his eyes to the consequences of that proceeding. It was to the large importation of corn from Ireland, combined with the effect of the three successive good harvests in this country, and not to the importation of foreign corn three years ago, and still less to the alteration which had been made in currency, that he attributed the present state of the agricultural interest. He was firmly persuaded, that no measure could be adopted by parliament which could afford immediate relief to that interest; but he was convinced that in time relief would be afforded, and that that relief would be complete.—He now came to the last point upon which he had stated it would be necessary for him to animadvert; namely, that, admitting a general fall in the value of all articles to be occasioned by the alteration in the currency, yet the distress which pressed upon agriculture so peculiarly ought not to be attributed to that change. Here he must, however, observe, that he could not admit the change in the price of commodities to be occasioned, to the extent contended for by the hon. member for Portarlington, by the alteration in the currency. He could not admit the fall of the price of commodities to be in proportion to the difference between the market price of gold at 4*l.* 3*s.* and the mint price. In one of the two years immediately preceding 1819, he found the market price to have been 3*l.* 18*s.* 6*d.* It was true, that the price of gold had been for one month in the year preceding the passing of the bill for the resumption of cash payments 4*l.* 3*s.*; but he thought it was better to draw his conclusion from an average price for the two years, which was less than 4*l.* 3*s.* He could not admit that the agricultural interest would not have been liable to the same distress, if no attempt had been made to suspend the issue of paper money. In 1816, the hon. member for Essex (Mr. Western) submitted a motion to the House on the subject of agricultural distress. He might assume, that it was impossible to attribute the distress which then existed to an anticipation of the measure which the House had afterwards resolved upon for the resumption of cash payments. The first resolution which the hon. member for Essex submitted to the House upon that occasion was to the effect, that the agricultural interests of England was in a state of unexampled embarrassment. The greater part of his speech went to prove the magnitude of distress under which the people laboured; and the conclusion to which he came was, that it was impossible the taxes could continue to

be paid. He (Mr. Peel) was willing to admit, that one of the causes of the distress then felt might be the contraction of the issue of country bank paper. But then it must be allowed that the country was liable, under the former system of currency, to the same evil which it now endured. By returning to that system they would, therefore, gain nothing. There would still exist the same degree of distress, resulting from the same cause, but without the benefit of a metallic currency. He believed the distress to have been occasioned by the withdrawing of the paper of the country banks, and by extraordinary speculations. If the Bank had issued a fresh supply of paper, there would have been a fresh cycle of prosperity, but which in the end would have only aggravated the distresses of the country. Under such a system he could only contemplate an alternation of success and failure; and every subsequent failure would be worse than the preceding. He requested the House to consider the state in which things stood in 1819. That period presented a more favourable opportunity for adopting the measure of a return to cash payments than would probably have ever occurred again. Had the system of paper money continued, individuals never would have been satisfied with a fixed high price for their commodities, as all the stimulus which prevailed during the war arose not from a fixed high price, but from a continually rising price. He had risen for the purpose, after all the clamour which had been directed against the bill which he had had the honour to introduce, of stating that after the experience of the past he remained perfectly satisfied, rather than to enter into the discussion of the subject more immediately before the House; a fitter opportunity for doing which would present itself at another time. He would, for his own part have been satisfied to adopt the plan of the hon. member for Portarlington, for he thought that plan would have effectually guarded against the depreciation of Bank notes. The same reasons that induced him to advise a return to metallic currency still remained in full force; and amongst these there was one which had great weight with him, with the House, and with the Bank—he meant the necessity that existed for putting a stop to the forgery of Bank notes, and the numerous executions of offenders. The House would recollect, that the Bank had tried every possible means to put a stop to that evil. [Cries of No, no.] It was possible that the proposal of some ingenious artist, might not have been tried or adopted, but it was well known that the Bank had spared neither time, trouble, nor expense, in its endeavours to attain that desirable end—the prevention of forgery.—The return to a metallic currency had met with the full acquiescence of parliament on that very ground; and it could not be denied that the result fully justified the anticipation.—The pecuniary sacrifices made by the Bank to carry the plan into effect ought never to be forgotten. He believed the clamour against the return to a metallic currency to be only temporary; and that at the end of three or four years we should look back with heartfelt pleasure and gratulation to our return to cash payments. By firmness, constancy, and perseverance in the present system, he felt convinced that we should, at no remote period, derive all those advantages from it, which the warmest friends of the measure contemplated at its enactment.

Mr. *Ellice* felt himself called upon to address some observations to the House after the speeches of the hon. member for Portarlington, and the right hon. gentleman who had just sat down, in justification of the opinions he had uniformly maintained, of the changes in our currency forming one main, if not principal ingredient in all our difficulties and embarrassments. In doing this he had no objection in the outset at once to admit the general principles laid down by his hon. friend and the right hon. gentleman. It was perfectly true and could not be denied, that, at particular periods, the market price of gold was precisely as they had stated it; and that at the period of passing the right hon. gentleman's bill, that price was relatively to our paper money only about six per cent below the mint price, but the question at issue between them was this, not whether gold could not be purchased with Bank notes at that moment at 4*l.* 2*s.* per oz. or about six per cent above what was called the mint price, but whether, there having been no legal standard between 1797 and 1819, and no metallic circulation, except silver tokens depreciated about thirty per cent, the accidental and often nominal price of gold, was a better criterion than the fluctuating value of almost any other article of merchandize, by which to estimate the general effects of the ac-

knowledged depreciation on all prices and contracts. Sure he was that, during the war, this particular commodity had been subject to as great if not greater fluctuation than any other. There were instances of its value having fluctuated thirty per cent within a year, while the amount of paper in circulation, and the price of other commodities had continued precisely the same. In 1815 the price was about 4*l*. 2*s*. in the month of April, 5*l*. 6*s*. in the month of May, and 4*l*. 2*s*. again in the month of July, without the least variation in the quantity of paper, or any perceptible change in the value of other commodities. Again in 1817 and 1818 when the amount of paper currency was increased one-third, if not nearly doubled, as compared with the amount in circulation in 1816, the price of gold was scarcely affected, which was easily to be accounted for, by the transactions of the Bank in these years. To check a fall in the exchanges, of which the worthy directors were not aware or would not admit, was the necessary result of an excessive issue of paper, about seven millions of gold was exported from about the middle of 1817 to the period when the committee met in 1819, when they found the stock of bullion so nearly exhausted, that it was necessary to bring in a bill to prevent the further issue. What would have been the effect upon the price of gold in the subsequent year, if the same quantity of paper in circulation in 1818 had remained for 12 months subsequent to this new suspension of cash payments (necessary, because they could not have been continued from the absolute exhaustion of their means) imposed on the Bank at the recommendation of the committee in 1819? Not an ounce of the 7 millions issued in 1817 and 1818 remained in circulation: it had been exported as an article of merchandize, and because this artificial supply of a commodity reduced its price, the committee gravely determined to represent to the country, that all the effects of the imprudent issue of paper in 1816, were to be precisely measured by the difference between the mint and market price of gold under such circumstances as he had stated. If the gold so issued had remained in circulation, and had been current with paper, as in Austria, Russia, or other countries, where the precious metals and paper circulate according to their respective values, he might admit the principle contended for on the other side, that the apparent difference between paper and gold marked the real depreciation of the currency; but it was farther evident, from other facts which he would state, that this would be a most erroneous view of the case. Did the House recollect the evidence of the hon. member for Taunton (Mr. Baring) before the committee of 1811 on this subject?—The price of gold being then about 4*l*. 8*s*., the hon. member was asked, whether he would undertake to procure even the small quantity of 10,000 ounces at that rate. His answer was, not at a less premium than 50 per cent beyond the market price; and would it still be contended that an article, while exposed to such fluctuation, could be a standard? Then look again to the state of the Bank and the country bank circulation from 1815 to 1819, during which there was a comparatively trifling variation in the price of the metals. In 1816, the debt from the public to the Bank, on which the Bank of England circulation mainly depended, was reduced, deducting the public balances in their hands, to about nine millions. The country bank paper stamped from eleven millions, in 1814, to about seven millions. Had this nothing to do with the distress of 1816? In 1818, the amount due by the public to the Bank was increased, deducting also the balances to 22 millions, and the country bank paper stamped to 12 millions: this produced the kind of relief the chancellor of the exchequer promised in proposing his financial measures of 1816. In 1820, the amount due to the Bank was again reduced by payments recommended by Mr. Peel's committee to 10 millions, and the country bank paper stamped to less than four millions! Was it possible to suppose the effect of these changes in the circulation, could be measured by the price of gold which had varied only five or six per cent during the whole period from 1815 to 1820? or rather that the value of gold must not have been affected, like that of all other commodities, by the measures of 1816, if the Bank had not counteracted this effect by their injudicious and unaccountable management, that the public might be deceived with respect to this second inundation of paper? He did not mean to take the quantity of country bank paper stamped, as the precise measure for the quantity in circulation, but it was the best datum on which to found a calculation; and it was confirmed by Mr. Stuckey's evidence in the Report of 1819, that the

circulation of a Bank in the West of England, in which he was concerned, had increased gradually eight-tenths between 1816 and 1819, and by the statements of the directors of the Scotch banks, showing nearly the same result. During the whole of this period, there had been little fluctuation in the value of gold, but would the right hon. gentleman say, that an addition to the circulating medium of from one-third to a half, did not, at least, in the same proportion, nominally increase the value of all property? The difficulties in 1816 and of the present moment, arose in a great degree from the same cause, and he much feared at last the same cure would be applied; the proposed loan of four millions from the Bank, appeared to him as the precursor of a similar system. But his hon. friend (Mr. Ricardo) had again repeated, what he had stated in 1819, that, whatever might be the effect of the depreciation, the country had already sustained all the difficulty to be apprehended from it? Had we then paid our debts, either public or private, incurred in a depreciated paper, or was not the national industry still mortgaged for the payment of taxes, imposed while our resources and profits from the particular circumstances in which we were situated, were nearly double in nominal amount? Take an illustration of this which must be correct, according to the strict interpretation of the principles of his hon. friend, that the depreciation was precisely measured by the price of gold. In 1815, on the return of Buonaparté from Elba, we had recourse to a large loan for the service of the year; on the day on which it was contracted the price of gold was about 5*l.* 6*s.*—the exchange on Paris, 18. Eighty-three millions of stock were created at the price of fifty-four, by a loan of forty-five millions of money. We were now draining almost the last shilling from the pockets of the industrious classes, to form a sinking fund to redeem this stock at the price of 78, the exchange and value of money having advanced about 40 per cent: so that we were now endeavouring to pay ninety millions, for forty-five borrowed six or seven years ago. Could this go on, or could the country, with its reduced means, bear it? These were questions for the chancellor of the exchequer duly to consider. He had in 1819, foreseen and foretold all these results, but so decided were all parties in the House, upon their favorite measure of restoring the ancient standard, that he could find no person to second a resolution he wished merely placed on the Journals as declaratory of his opinion. He had never objected to the principle of fixing some standard; on the contrary no person had been more alive to all the evils of the system we had been so long pursuing, nor was he unaware of all the advantages which the labouring classes would necessarily derive from the bill of the right hon. gentleman; but he considered it unfair, and likely in the end to aggravate the evils we sought to rémedy, that the tax, such as it was, to be imposed on the country for this purpose, should fall exclusively on owners of property of all descriptions, while creditors and claimants on that property were exempted from its operation. The right hon. gentleman had described with perfect justice the benefits which had accrued to the manufacturing population from the measure; their distress in 1817 and 1818, had been much aggravated by the operations of the chancellor of the exchequer in 1816 and 1817, and of course an opposite line of policy had produced opposite effects; but the right hon. gentleman forgot the inconsistency of his argument as applied to the present occasion. If the situation of the labourer was improved, and the amount of poor-rates diminished by the lower price of provisions, and that low price was the effect of the measure of 1819, surely the right hon. gentleman must admit the operation of this cause to a similar extent upon the value of produce, the chief complaint of the country gentleman and farmer, and this was precisely the case. All would go on very well if the landlord and tenant had no debts or engagements to pay, contracted on the faith of the artificial value to which their property had been raised by a depreciated currency, and if the country had no taxes to pay disproportioned to its reduced profits, on its nominally reduced capital. The great difficulty was, how to secure all the benefits of a restoration of the old standard of money to the industrious classes, and so to arrange contracts, that debtor and creditor might remain in the same position as they were in 1818, the amount possibly of the greatest depreciation, if the true data on which to estimate that were, as we had assumed, the debt due to the Bank by the public, and the amount of paper in circulation. This was

what he wished considered well in 1819 before the bill was passed, but so entirely was the House carried away by the opinion then entertained by committees of both Houses, and by his hon. friend (Mr. Ricardo), that the extent of the depreciation was to be precisely measured by the relative value of gold to paper, that he had in vain endeavoured to persuade them to listen to his arguments and opinions. One hon. friend, the member for Taunton (Mr. Baring), had indeed soon found out the error of the calculation on which they had proceeded—and had last year proposed a measure of relief, to which he was surprised he (Mr. Ellice) with his particular opinions did not assent. But it was one thing gravely to determine on a serious measure of this description, and then to swerve from it, more especially for a relief quite inadequate to the evil; and he opposed the proposition of his hon. friend. What course they were now to adopt, he left ministers to suggest who had taken credit most unaccountably in their recent pamphlet, both for the financial measures of 1816, and the bill of 1819, although diametrically opposite in principle and effect. The question was, would the land-owner submit to, or the nation, as public debtor, be long able to bear, the pressure increasing on both? He did not believe it, but still he would be consistent, and whatever propositions the present state of things might lead to, he would be found protesting against subjecting the industrious classes to the renewed evils of another depreciation, although it was apparent the present measures of the chancellor of the exchequer pointed to that result. It had been most unaccountably stated, that with a superabundance of money, which could scarcely be employed on any terms by capitalists, we had a restricted circulation. To remedy this; but in fact to job up temporarily the price of the public securities by adding artificially to the sinking fund, and founding another scheme upon this, the reduction of the five per cents, we are to borrow four millions from the Bank, in strict imitation of the financial plan of 1816. Might this not lead to similar consequences, and must not the money thus poured into our circulation, beyond any demand for it, find its way to other markets where it could be employed? The momentum of rapidity with which the noble lord had described the current of gold as setting into this country, may be turned the other way. It would require a very little alarm of this description to place the gentlemen at the Bank in their former dilemma about the currency, and the chancellor of the exchequer at their mercy about his deficiency bills—without a regular loan on which he could not pay the dividends. Would a second order in council of 1797, under such circumstances be a very improbable event? One material omission in the speech of the noble lord (on a recent occasion) in the bright picture he presented the House, of the financial state of the country, was, all mention of the consolidated fund. The deficiency had been increased by purchasing stock beyond any real sinking fund last year about two millions, and now amounted to the enormous sum of between nine and ten millions. How was that to be provided for, and was the House aware that the national creditor was dependent on the receipt of his dividends each quarter, on the good will of the worthy directors of the Bank? Much discussion had taken place on the conduct of the Bank with respect to their circulation, and an hon. director (Mr. Manning) had said, greater caution was required in consequence of an amendment he (Mr. Ellice) moved to a bill brought in last year, that they should be obliged to exchange either small notes or coin for their large ones at their option. He frankly owned that his object in that amendment was, to force as much as possible of the coin lying idle in the coffers of the Bank into circulation, and his hope was, that, instead of finding fifteen or sixteen millions lying unemployed there now, it would have replaced great part of the small country notes. He was sure, at all events, it would have been more beneficially disposed of in that manner, and the objection made to actually restoring a metallic currency, after having decided upon the ancient standard, was something like straining at the gnat, after we had been attempting to swallow a camel. Another great and almost insurmountable objection to permitting the one pound notes to continue in circulation, when they could be removed, without material inconvenience, was the lamentable state of prosecutions and convictions, and the still more indefensible executions under them for forging this description of paper. Thank God, they had in a great degree removed that stigma from the character of the country. With respect to the present

conduct of the Bank, and their renewed and friendly intercourse with the chancellor of the exchequer, after having been used as his cat's-paw on so many occasions; the greatest objection it was liable to, was, the possibility of these new dealings leading to former results. It had always been understood, that this corporation was established for the advantage of commerce—and the way the directors took of proving their sincerity to act upon that principle, was, by endeavouring to keep the rate of discount at 5 per cent, while out of doors the merchants readily found it at 4 per cent. This was really a grievance to the small Trader, who was accustomed to rely on his banker for the necessary accommodation of his trade, and was charged of course according to the tariff established by the Bank. Beyond this their proprietors were the only aggrieved parties, but to be sure, the directors had managed their affairs so well for a long series of years, by putting into their pockets at the expense of the public, some twenty or thirty millions, that it was not wonderful their ears should be shut against any insinuation of possible mismanagement. Still it was not very probable, if any of the worthy gentlemen had banking concerns of their own, they would complain of having 14 or 15 millions unemployed, because they could not get 5 per cent interest. They might possibly dream in that case of taking less, and common sense would at once tell them this was the rule by which they ought now to manage their public concerns. Do they suppose their circulation will be more under their control by lending 4 millions to government, than if they lent it on mercantile bills, even at the same interest of 3 per cent? Is it not their duty to the commercial class to endeavour for their interest to reduce the rate of discount, to the very lowest possible amount, which will not interfere with their circulation? As he had always held very singular opinions in that House, although he believed not so singular out of it, on these subjects, after the speeches of the gentlemen who preceded him, he had thought it his duty to offer these observations on the past and present state of the currency. With respect to the appointment of the committee moved for by the noble lord, although he did not see what good could result from it, and he must always look at their professed object with jealousy, this was not the particular moment under the severe distress in which the agricultural interest was involved, to offer any objection to the most full consideration and discussion of it. The agricultural was only suffering in common with the commercial and other interests from the same causes, and the only relief, which would also be a common one, in the power of the House to grant, must be by a reduction of taxation. He feared that to the extent it could be granted, consistently with the measures of parliament with respect to the currency, a very partial remedy could only be expected. At the same time he was ready to listen to all other propositions, and to concur in all other measures for their relief, which had not for their objects, any enhancement of the price of provisions; a result which in the first instance would be most unjust to the consumer, and in the end as prejudicial to the producers themselves, as to every other class of the community.

Mr. *Huskisson* observed, that some honourable members had called him the author of the report which had been laid before the House last session, relative to the distressed state of agriculture. Now, he had always understood, that a report was considered as the production of the whole of the committee to which the subject discussed in the report was referred; but as a different opinion seemed to prevail with respect to the report he had mentioned, he would explain the facts connected with its production. When the committee came to deliberate upon its proceedings, several members proposed different resolutions. After hearing those resolutions, he had taken the liberty to propose a series of his own. The committee approved of that series of resolutions and had done him the honour to request that he would draw up a report founded on them. He appealed to the gentlemen who had been members of that committee, whether he did not, as long as he could, protest against the imposition of a task, which did not properly belong to him, as he was not the chairman of the committee. The committee, however, pressed him so strongly, that he yielded, and drew up the draught of a report, which was discussed paragraph by paragraph, and many alterations were made, in the propriety of which he did not concur. Those alterations affected not only the wording, but the principle of the report. Under these circumstances,

he thought he was not treated fairly when the authorship of the report was attributed to him. He wished to set himself right on this part of the question, because both in and out of doors the whole report had been attributed to him exclusively. If the resolutions he had proposed, and which were rejected by the committee, were laid upon the table, he should be ready to defend the principles they contained, although some persons had thought fit to apply to them the epithets of stupid and contradictory. He should be able to show that they were neither inconsistent nor contradictory, but founded on a correct view of the circumstances of the country and the state of agriculture. The hon. member for Suffolk had charged him with having mystified the committee; the hon. member for Norfolk had asserted that he had misled it; and the hon. member for Sussex contended, that he had employed some unfair spells, as if he had dealt in necromancy. After being thus accused, the House would not be surprised if he declined attending the committee on its re-appointment. His principles were known and recorded, and during future discussions, he should not be found to depart from them. The hon. member for Norfolk had also charged him with being the author of the report of 1814: but in fact, it was the production of the chairman of that committee, while he (Mr. H.) had only furnished a few paragraphs. Neither with the bill that followed that report had he had any thing to do. On the contrary, he objected to it, and it was well known that, at a meeting of gentlemen previously held, he was almost the only one who had supported protecting duties instead of the fixed price of 80*s.* per quarter. The hon. member for Norfolk had thought fit to compliment the learned member for Winchelsea, as the first and ablest lecturer upon political economy, as if no other man deserved this diploma of distinction; nevertheless, that learned gentleman had not for a single day, attended the former committee on agriculture. He hoped that the learned gentleman would be more disposed to aid the new committee with his presence and his counsels, and the result might be a report less liable to objection. With regard to the Bank of England, he gave the directors full credit for a knowledge of their business, and for pursuing the interests of their establishment, perhaps even with too much caution. As far as it went, the loan of 4,000,000*l.* from the Bank would unquestionably be a measure of relief: whether it went forth in the shape of discounts, or whether it were lent to parishes, it would be advantageous. The circulation would, of course, be increased; and as it could not be confined to England only, it would tend rather to lessen the value of gold, and in proportion to raise the price of commodities. So far that tendency might itself be beneficial to the farming interest.

Sir *J. Newport* deprecated its being held out as it had been, out of parliament, and rather invidiously, that this was a pure and absolute boon to Ireland; whereas, it was only part and parcel of the act of Union, or at least carrying into effect the provisions of that act. It must not however be left out of view, that the situation of Ireland was very peculiar. With regard to the order of reference, he recommended strongly that the objects to which the committee were to direct its attention should be specifically defined. They would otherwise, probably, travel into matters not at present in the contemplation of the House, and would protract the report beyond the period when it might reasonably be expected. He much doubted, whether it would not have been better for ministers to have brought down their measures at once, without waiting for the deliberations of a committee.

The Marquis of *Londonderry* agreed, that it might become advisable to restrict the subject of inquiry to those practical results he had in contemplation; at the same time, if this were necessary, it might be done afterwards, when any member could come to the House to prevent the committee from wandering into too wide a field of inquiry. All the members would be fully apprised of the objects in view; and, as to the nature, extent, and operation of the distress, he apprehended that it would not be necessary to go further than the former committee had done. The state of the foreign markets, however, was a part of the great subject not yet sufficiently investigated; and he hoped, that to this the committee now appointed would proceed, without delay, so that very early after the holidays some practical measure might be founded upon its report.

The motion was agreed to; and a committee was appointed consisting of the following members; viz. The marquis of

of Londonderry, Mr. Gooch, Mr. F. Robinson, lord Althorp, Mr. Bankes, Mr. Brougham. Mr. Huskisson, sir E. Knatchbull, Mr. Stuart Wortley, Mr. Baring, sir H. Parnell, Mr. Wodehouse, Mr. Western, Mr. H. Sumner, Mr. Estcourt, Mr. Sturges Bourne, Mr. Tremayne, sir W. Rowley, Mr. Calthorpe, Mr. Hunter Blair, Mr. Irving, sir T. Lethbridge, Mr. Littleton, Mr. Whitmore, Mr. Alderman Bridges, Mr. Nicolson Calvert, Mr. Ricardo, Mr. Curwen, Mr. Dennis Browne, Mr. F. Lewis, lord Cranbourne, lord Binning, Mr. W. Lamb, Mr. Goulburn, and sir J. Newport.

HOUSE OF COMMONS.

Wednesday, February 20.

AGRICULTURAL DISTRESS.] Mr. *Lockhart*, in presenting a Petition from the owners and occupiers of land in Scarsdale, in the county of Derby, complaining of Agricultural distress, observed, that the petitioners were of opinion that excessive production was one of the causes of the present distress, and that this was one of the strongest reasons why that production should not be increased by foreign importation. They were utterly unable, however, to comprehend the doctrine which had been recently broached in that House, that taxation was not the cause of their distress, and were firmly persuaded that unless the strictest economy and retrenchment were enforced in every department of the state, not only the agricultural interest, but every class of the community, would be inevitably involved in ruin.

Mr. *Jones* thought the measures proposed by his majesty's ministers were insufficient to afford effectual relief to the agricultural interest. The reduction of 1*s*. a bushel in the malt tax might afford a partial relief to the barley-growing counties, but it could not operate as a remedy for the distresses under which the agricultural interest laboured. If the duty on salt, which, next to water and bread, was the most essential article of life, had been taken off, a much more effectual relief would have been furnished to the farming interest. He trusted ministers would not be influenced merely by the opinions of county members, expressed in that House, but that they would listen to the sentiments of the country, as they were expressed at county meetings, unequivocally and unanimously, except on the subject of parliamentary reform, and that they would at length feel the necessity of applying some effectual remedy to the distresses of the country. The duty on salt, amounting to one million and a half, and the duty on leather, might be taken off with great benefit to the public. The duty of 6*d*. per pound on leather pressed with peculiar hardship on the poor man, who was compelled to wear shoes of the thickest leather, while the leather applied to the manufacture of ladies' shoes was of the finest texture, and consequently paid less duty. He trusted that the hon. gentlemen who had recently joined the ranks of administration, would be ready to carry into effect a measure, of which they had uniformly urged the necessity on the other side of the House; he meant, the reduction of the lay lords of the Admiralty. He hoped also, that the system of aiding the revenue by lotteries would at length be abandoned by ministers. It was disgraceful to the government of the country, that ministers should come down to that House to propose a lottery, while at the same time the Statute book prohibited gaming. It was, in fact, inviting the poor to come and lose their all by the scheme of the chancellor of the exchequer, while the rich were prevented from ruining themselves at the gaming table. If gaming were to be encouraged at all, he did not see why it should not be made a source of revenue, as in other parts of Europe.

Ordered to lie on the table.

ILCHESTER GAOL—TREATMENT of MR. HUNT.] Mr. *Hume* rose, to present a Petition to the House which was signed by between 4,000 and 5,000 inhabitants of Preston, in Lancashire, and its vicinity; complaining of the severity of the imprisonment of Mr. Hunt. If the circumstances stated in it were true, he hesitated not to say, that the petition demanded the attention of parliament. He had written to the individual himself, to know whether the statements contained in the petition was, or was not correct, and as far as he was concerned, his statement went to substantiate the facts alleged. It appeared that Mr. Hunt had been placed for a number of days in solitary confinement—not a human creature being allowed, during that period to have access to him. He was taken ill and sent for his surgeon; but that individual was not allowed to see

him, and he suffered under severe spasms, until a surgeon who resided at the distance of five miles was sent for. It was, under these circumstances, the duty of the House to see that the individual, in undergoing the sentence of the law, was not sacrificed by those in whose power he was placed, whatever might be their motives for adopting a system of extreme severity. The petitioners stated, that they were unwilling to call on the House to interfere with the sentence of a court of justice, because they wished not unnecessarily to meddle with the established laws and institutions of the country; but they felt themselves bound in this instance to come forward, because a punishment was inflicted on Mr. Hunt which the Court of King's-Bench did not authorize. This was evident from the fact, that when Mr. Hunt was sentenced, he had inquired whether he was to undergo solitary confinement; and he was answered by Mr. Justice Bayley, in these words:—"The court has given no such order," and he directed that Mr. Hunt's imprisonment should be attended with as few privations as possible. The petitioners, therefore, thought, that neither the malice nor the caprice of the sheriff, nor of the magistrates of Somersetshire, should be suffered to inflict a punishment on Mr. Hunt, which the court had not contemplated. They went on further to observe, that the order under which this individual was placed in solitary confinement, was signed, in September last, by Mr. Justice Best; and they thought, that, as Mr. Hunt never entertained any idea of violating the law, two years imprisonment in so unwholesome a gaol as that of Ilchester was punishment sufficient for any supposed infraction of the law. The petitioners were of opinion, that the meeting at which Mr. Hunt presided was perfectly lawful; and he (Mr. Hume) had no hesitation in saying, that he held the same opinion. That opinion he never would alter; and, entertaining it, he could not avoid thinking that Mr. Hunt was most unjustly sentenced. Having, however, been found guilty by a jury of his country, he could blame no person for what had subsequently occurred, but the judges. Punishment ought to be awarded in proportion to the offence committed: and Mr. Hunt having attended a meeting which he conceived not to be of a criminal nature, and which was stated in that House to have been legal, it certainly followed that a very mild punishment ought to have been inflicted. But he was sorry to say that the severity of punishment which had recently been resorted to, was likely to bring some of the great institutions of the country into contempt. If the House looked at the conduct of the courts of law for the last two or three years, they would find that the severity of punishment adopted during that period, went beyond all precedents in the history of England, except those that occurred in the time of judge Jefferies. When ministers and judges authorized a course of unmerited severity, their conduct tended to injure the institutions of the country, and endangered the safety of the constitution itself. He would ask of the learned solicitor-general, if an individual were merely sentenced to imprisonment in a particular gaol, and instead of ordinary imprisonment, solitary confinement were inflicted, whether that was not, in fact, altering the sentence, and inflicting a new and a far more severe punishment? If common confinement could be changed at pleasure into solitary confinement, he saw no reason why the power thus assumed might not be pushed much farther, even to the hanging of the man who was only sentenced to imprisonment. Such arbitrary proceedings were calculated to bring the courts of law into discredit, and to occasion a feeling of disrespect towards the judges. The petitioners adverted to the case of sir Manasseh Lopez, whose sentence had been remitted; and whose offence, contrasted with the alleged offence of Mr. Hunt, assumed a character of more than ordinary criminality. Yet the sentence of this individual had been mitigated, while Mr. Hunt had been placed in solitary confinement. That man, he would boldly say, could have no humanity, could entertain no love for his fellow-creatures, who would attempt to change ordinary confinement into that most dreadful punishment—solitary imprisonment. The House ought to take care that no set of men should be allowed, from a petty, paltry, mean feeling, to punish an individual, not for the crime actually committed, but for offences of a former date. It was shameful that an order of a quarter sessions should be enforced in such a manner as to preclude Mr. Hunt from a free intercourse with his family. Why should such severity be exercised towards him, while sir M. Lopez was treated with the utmost lenity, although his offence was described

by one of the Speaker's predecessors as the highest crime that could be committed against the constitution? Such partiality was disgraceful.

Sir *T. Lethbridge* said, it was quite impossible for the magistrates of the county of Somerset to act from such motives as had been ascribed to them by the hon. member. It was very hard that magistrates, while acting conscientiously in the performance of their arduous duties, should be subjected to such unmerited attacks. He thought the House would do well to set its face against such proceedings. He would not oppose the bringing up of the petition; but, in his opinion, the House should do something to show its disapprobation of the calumnies that had been cast on the magistrates of Somersetshire, ever since they had any thing to do with this individual. With respect to the prayer of the petition, he conceived it would be very wrong for the House to set aside, in any manner, the sentence pronounced by a court of law. The hon. member was wholly in error, if he thought that Mr. Hunt had been treated with malice or caprice. He was equally wrong if he supposed that that individual was treated as a prisoner sentenced to solitary confinement. The fact was, that when Mr. Hunt was first placed in the prison, he received indulgences which no person, under his circumstances, had a right to expect: and the privations of which he now complained were occasioned by the withholding the indulgences that were originally extended to him. He denied, altogether, that Mr. Hunt had been improperly treated.

The *Solicitor General* said, it was extraordinary that the hon. member for Aberdeen had thought fit to repeat the attack on the magistrates of Somersetshire, which had been indulged in some days ago, on an occasion similar to the present. He had stated to the House at that time the situation in which Mr. Hunt stood. That individual had made application to the Court of King's Bench, praying that he might be attended by his surgeon and attorney. It was not, however, customary for the court to act, except on affidavit; and they took the necessary steps to enable Mr. Hunt to state, on oath, what he had to allege against the magistrates. Those very judges who had been so scandalously libelled by the member for Aberdeen, contrary to the usual course which obtained in such cases, and although the statement contained in Mr. Hunt's letter was not supported by affidavit, did, on that mere statement, direct an order to the gaoler, desiring that Mr. Hunt's attorney should be admitted, for the purpose of giving the complaining party an opportunity of making the necessary affidavits, in order that the complaint should undergo an investigation on oath. Notwithstanding this, Mr. Hunt had taken no steps in the business. He had made no regular application to the Court of King's Bench during the last term. It was not, therefore, too much, to suppose that the complaints were exaggerated; and he hoped that the House would suspend their opinion of the conduct pursued, both by the judges and by the gaoler, until the subject was investigated before a competent tribunal, on oath. That would be the fairest course, not only with respect to Mr. Hunt himself, but with reference to all the persons who were implicated. The member for Aberdeen had pointedly alluded to the conduct of one of the judges, in signing the orders in question.["No, no," from Mr. Hume.] He understood the hon. member to say, that owing to the order which had been signed by Mr. Justice Best, Mr. Hunt had been confined in a solitary place. What the hon. member said with respect to the observation of Mr. Justice Bayley was in substance correct. Mr. Hunt asked, whether he was to be punished by solitary confinement, and he was immediately told, that the court entertained no such intention: but if any thing were contained in that petition, alleging that Mr. Justice Best had ordered Mr. Hunt to be confined in a solitary place or had altered the punishment which had been awarded, such an allegation was utterly unfounded. That Mr. Justice Best and Mr. Baron Graham had signed the regulations for the government of Ilchester gaol was correct. He (the Solicitor-General) had sent persons to Ilchester to see what those regulations were, and to put him in possession of them; and he could confidently affirm, that there was not a single order of those learned judges that violated, in the smallest degree, the law of the land; nor was there a single order amongst those allowed by Mr. Justice Best that had not been also allowed by some of his predecessors—by as humane and honourable men as ever sat in a court of justice, and who were as much attached to the law and constitution of this country, and to the rational liberty of the subject,

as the hon. member could possibly be. With respect to what the hon. member had said of his (the Solicitor-General's) false and inapplicable arguments, and of the unanswerable and irrefragable reasoning of the individuals near him, when he stood forward as an umpire between gentlemen on opposite sides of the House, and decided in favour of his own friends, he would only say, that the question came before the Court of King's Bench, that it was argued with great learning and ability by the counsel of Mr. Hunt, that it was heard with a degree of patience, almost unexampled, and that the judges unanimously decided against the application. Whether the member for Aberdeen possessed a knowledge of the law so much superior to that of the judges, who had passed their lives in legal pursuits, and who were sworn to administer justice according to law, as to render their opinion of no value, it was for the House to judge. He, however, felt that his argument on the point in question was not answered by the other side; and he believed that if the subject again came before a court of justice, the decision would be precisely the same. He must protest against the course pursued by the hon. member. It was of very great importance that the character of the judges should stand fair and pure before the country. If, therefore, a charge could be made against any one of those learned individuals, the subject ought to be brought openly before the House, instead of being introduced incidentally on the presentation of a petition. The hon. member ought not to traduce and calumniate the judges in the scandalous manner, he would say, if he were not in that House, in which he had been pleased to indulge.

Mr. *Bennet* said, that Mr. Hunt had made no application to the Court of King's Bench, but had merely written a letter to Mr. Justice Bayley. He was not in the habit of corresponding with Mr. Hunt, but he had received a letter from him that morning, complaining of his treatment. Perhaps the severity exercised towards him might have originated in his having so successfully exposed the malpractices that had long existed in Ilchester gaol. He believed that the arrangements made in the gaol, under the order of the judges, were not applicable to persons under sentence for an offence like Mr. Hunt's. Those rules and regulations were, in fact, directed against felons; and he believed it was the first time that a person in the situation of Mr. Hunt had been subjected to them. He had visited many of the gaols in this kingdom, and had seen no such instance, even where persons were confined for the worst of blasphemous libels. It appeared as if the magistrates of Somerset were determined to make up, by present severity, for recent remissness. Be that as it might, the rule was evidently bad, and ought to be abolished. He begged leave to make a few remarks on the lofty tone which the learned gentleman had thought proper to assume on this occasion. He had expressed himself as if he were in the magisterial chair at the Old Bailey, lecturing some witness or solicitor. Now, certainly, though the learned gentleman might bring the practice of the courts below into that House, he ought not to bring with it the manners of the courts below. He was, however, sure that the learned gentleman had used phrases which he might very well have spared. When the learned gentleman came into a society like the House of Commons, he ought to use such language as became his own situation, and the situation of those to whom he addressed himself. Such expressions as "scandalous," and "libellous," were really new within the walls of that House. With respect to Mr. Justice Bayley, he revered his character, and admired his conduct. Every day proved how well he deserved the situation which he so meritoriously filled. But, much as he respected that individual, he never would allow it to be contended, that it was not the duty of a member of parliament, if circumstances arose in the conduct of those who presided over the courts below which excited his suspicion, to bring those circumstances before the House. Lord Coke said, that "parliament was bound to keep the judges in order, as well as other men. Of course, those learned individuals ought not to be rashly charged: but if, in a great legal question, the judges of the land came to conclusions, which, in point of prudence and law, they ought to have abstained from —if they hazarded a judgment, which, in prudence and law, they ought not to have done, the member of parliament who thought so, was not an honest man, if he did not come to that House and say so. A member of parliament, who conceived the conduct of a judge to be incorrect, would be more blameable if he were silent, than if he stated what he felt.

Mr. *Lockhart* was of opinion, that the House had a right, when it was necessary,

to investigate the conduct of the judges; because the absence of that right might give rise to a species of slavery. The learned gentleman had denied that the judgment of the Court of King's Bench was in any way altered. But the question was, whether, by the constitution of the country, such rules and orders could be maintained, as might, in fact, alter an original sentence? The learned gentleman said, that certain rules and orders, signed by the magistrates and judges, were put in force at Ilchester. Now, if those rules and orders could have the effect of inflicting any punishment on an individual, other than the court had sentenced him to suffer, he held them to be unconstitutional. If there were any new laws which delegated the power of changing a sentence to any set of magistrates, they ought to be compared with the old laws, and their foundation thoroughly investigated. When he first came to the bar, he never heard or read of solitary confinement; and it certainly was a practice of a very dangerous nature. A person thus imprisoned might be visited with mental affliction or bodily illness, and yet, in consequence of his situation, be deprived of all opportunity of communicating his state to those who might relieve him. That which was not originally intended by the law, ought not to be effected by subsequent regulations. If it were allowed, the punishment of individuals would be placed in the discretion of a class of persons who could have no knowledge of the crimes of those who were condemned except what they gathered from the prison calendar.

The *Solicitor General* again offered himself to the notice of the House, for the purpose of explaining what had passed in the Court of King's Bench with respect to Mr. Hunt. Mr. Hunt did not, indeed, make a regular application to the Court of King's Bench; but he wrote a letter to Mr. Justice Bayley, who immediately communicated it to the other judges, in which he complained that his surgeon and solicitor were excluded from him, and expressed a wish that an order should be made to allow of their attendance. The Court of King's Bench could make no order, and could give no judgment, except on affidavits; but the judges did all they could do. They sent to the gaol, and desired that the solicitor of Mr. Hunt should be admitted to him, in order that he might draw up the affidavits which were necessary for a regular application. An hon. member had thought proper to charge him with having used unbecoming language to another hon. member of that House. Now, it would be recollected that the hon. member for Aberdeen, not adverting to the language of the petition, but expressing his own private feelings, stated that no judgment was ever pronounced in the Court of King's Bench more infamous than the judgment in question, since the days of judge Jefferies. When that was the case, he would ask whether he was at all out of order, or whether he used indecent or unbecoming language, when he stated, that the hon. member for Aberdeen, in using such expressions, had grossly libelled the judges? If the hon. member for Shrewsbury imagined that he was to form his manners, or to adopt his language, to that hon. member's taste, he was much mistaken. When he spoke of that hon. member's conduct, or adverted to his sentiments, he would state nothing which he would not justify on every occasion, and in every place. [Hear, hear.]

The *Speaker* said, that however mysterious the language of the hon. and learned gentleman was, he could know what meaning they were intended to convey, and he was sure that the House would see the propriety of his interfering, as the words in his opinion conveyed a meaning which would tend to invade the order of the House.

The *Solicitor General* could assure the House that he had no intention but to justify himself.

Mr. *Hume* said, he would put the House in mind that allegations of a similar nature, which an hon. baronet had on a former occasion denied, had upon examination, turned out to be well founded; and he had no doubt but the present allegations would turn out to be so. It had been asked, what authority there was for saying that Mr. Hunt had been in solitary confinement? He had just received from Mr. Hunt a letter, which stated, that the complaints were literally true. Twenty-six days had elapsed since Mr. Hunt preferred his complaint, and he was in solitary confinement still. The learned gentleman, in replying to him, had made use of abuse, instead of argument; he had put the word "infamous" into his mouth, but he could assure the learned gentleman that he must use argument, and not abuse, if he hoped to obtain any credit with him. It was very well for gentlemen clothed in a little brief

authority, to attempt to gloss over the practices complained of in that petition; but the country felt differently on the question. That the case was one of cruelty was known to millions.

Sir *T. Lethbridge* said, that if it should turn out that Mr. Hunt was even for eight hours in solitary confinement, he should be the foremost to say it was improper. But at present he did not believe it even on the authority of a statement signed "Henry Hunt."

The petition was ordered to be printed.

Royal Burghs of Scotland.] Lord *Archibald Hamilton* rose and said:—Mr. Speaker; I rise for the purpose of persuading this House, to resolve itself into a committee of the whole House to consider the Reports which have been made to it, by its own orders, on the subject of the Royal Burghs of Scotland. After the length of time, which this subject has been before the House and the public, and the share which I have taken in the investigation of it, I owe it, as a duty to the petitioners, to this House, and to myself, to endeavour at last, to bring it to some specific, some profitable termination. Until my efforts are superseded by some decision of this House, those efforts shall be directed towards the success of the cause, in which I originally embarked, without being aware, I must confess, of the time or the labour it would require, or of the opposition I should encounter—I mean, to the attainment of some reform in the internal constitution and internal management of Scotch Burghs. It is a cause in which some 500,000 of my countrymen are interested, who have no representatives—at least no direct representatives—in this House—in which revenues of more than 100,000*l.* are still involved, but in which I myself have, personally, no interest whatever, except as far as the interests of Scotland are concerned.

My present object is, to induce the House to examine the three reports upon the subject, which have been made, by its own orders, in the last three sessions, and to adopt such measures as the case, after examination, may appear to require. Before I proceed to urge any reasons for going into such committee, drawn from the reports themselves, I beg to submit a short outline of the circumstances, which have occurred in the origin and progress of this inquiry. During the years 1817 and 1818, petitions to this House were presented from almost all the royal Burghs of Scotland, in number 66, and containing a population of several hundred thousand persons, a large proportion of whom are burgesses of the said burghs. In these petitions complaint was general, though the details were various; the ground of this general complaint was, the mismanagement of the affairs of the Burghs, from negligence, ignorance, or corruption, or the united influence of all three: the chief operative cause was stated to be, the principle of self-election, under which the councils, managers of the burghs, are self-appointed, and may be self-continued in perpetuity. The remedy, generally, if not universally, prayed for by the burgesses, was, some change in that principle of self-election. Numerous and extensive instances of misgovernment and corruption were pointed out, in these numerous petitions, and proof offered of their truth. A large proportion of the petitions had been transmitted to my hands, and by me presented to this House.

Under these circumstances it was, that in April 1819, I moved for the appointment of a committee to investigate one of the most prominent examples of mismanagement, in the case of the city of Aberdeen. The self-elected council of that town had declared itself bankrupt, and had delivered its concerns into the hands of trustees, and had voluntarily signed and published a declaration, imputing that bankruptcy, not to casual misfortune—not to failure of their creditors, or to bad debts—not to personal dishonesty or negligence—not to any cause of transient influence, or of rare occurrence, but to the natural, necessary, inherent defect of self-election, as a system of fraud and concealment. In spite of such a case, and such testimony, the House of Commons refused to appoint a Committee. My motion was lost, by a majority of four or five. Upon what ground the House decided, I cannot pretend to say—the decision was not very creditable to that House; but the ground taken by those members who spoke against my motion, was a denial of the nature, and the extent of the abuse, in reference to Aberdeen—denial that the system of self-election was an evil of any magnitude, or in any degree the cause of the misfortune which had occurred; in short, a denial of my entire case, except the stubborn fact of the bankruptcy—and

that they plausibly excused. The smallness of the majority which refused my motion, and the magnitude and nature of my case, as I knew it to exist, induced me to make another appeal to the justice of the House; and as petitions had continued to increase in number, expressive of public opinion in Scotland upon this important matter, I resolved to bring the subject again before the House, sooner than I should otherwise have done.

One important, most important accession of strength, had been gradually accumulating to the cause of Burgh reform, from a quarter where it had been least expected, but from whence it was likely to be most effectual. Since the commencement of the petitions to this House by the burgesses and inhabitants of the burghs, against the mode of electing and perpetuating their councils and their magistrates, these very councils and magistrates had themselves met in many of the royal burghs, and had expressed and published resolutions in favour of that very reform for which the burgesses were petitioning. In nearly half of the royal burghs in number, and more than half in population, those very self-elected councils, who were complained against, now voluntarily recorded their opinions in favour of the complainers, and against the system of self-election. Without admitting all the abuses alleged, and without affording any sanction to a total subversion of existing Setts, they declared that some change, some modification of the system of self-election was desirable, for the benefit of the burghs and respectability of themselves. Here then was authority in my favour, and in favour of the petitioners, quite unquestionable, quite decisive. Thus encouraged, on the 7th May, one month after my former motion was lost, I again appealed to the justice of the House, and moved to refer all the petitions from the Scotch burghs to a committee. Again, however, I was opposed, and opposed by the same persons, and the same arguments as before.

The House of Commons was not, however, to be deceived a second time. Neither the efforts of ministers, nor the exertions of those who supported—avowedly supported—the system of self-election—were allowed to prevail. Inquiry, at least, if nothing more, was now thought to be due to the petitioners; supported too, as their case now was, by a large portion of the self-elected councils themselves. Upon this occasion the ministers were left in a minority, a committee was appointed, of which I was elected an unworthy chairman—unworthy in all respects, except zeal in the cause, and a steady active attention to the duties of the chair. And here I should notice to the House, that a committee had been appointed on this subject, so long ago as the year 1793, and had made a valuable report upon the abuses and mismanagement in Scotch royal burghs, to the House of Commons of that time. I thought it important and desirable, that we should avail ourselves of this document; accordingly I moved to have this report of 1793 reprinted, and referred to the consideration of the committee which had just been appointed. Upon a perusal of this report, we, the committee, soon found that the same grievances had been complained of by the royal burghs of Scotland in 1793, as we were now called upon, in 1819, to investigate. Not only were the same grievances stated, and imputed to the same cause; but the same remedy, also, was suggested by the petitioners of that day. Well, Sir; we, the committee of 1819, entered upon our labours late in the month of May; but such was the diligence and activity of that committee, that it produced a report, amounting, with evidence and appendix, to 500 pages, at the close of that session; a report which has been canvassed, criticised, and vilified, by the enemies of all reform, but which has maintained its credit to this hour, for accuracy and fairness, and has itself done no inconsiderable service to the cause of burgh Reform, by the mere force of its disclosures.

I will now proceed to detail the appointment, labours, and progress of the succeeding committees on this subject, as the strongest argument I can urge for my motion of this night. In the next session of parliament I moved the reappointment of the committee on burgh reform, which it was not, now, thought prudent by the ministers to oppose. But the committee, which they granted reluctantly, they contrived to fetter and embarrass in its operations, by a change in the members who composed it. This arrangement was made between the noble lord opposite and myself, without any appeal to the House, as to the persons to be named; but made on my part, in the conviction that such appeal would be useless, in opposition to the ministry. Several new members were

introduced into the committee, whose views on this subject, as well as on general political matters, were very different to those of the members whom they had succeeded; some of them, too, were in office. The former report had disclosed too much: in other words, the committee had performed their duty *too well* to this House. The peculiar circumstances of the session, as noticed in their report, prevented this second committee from making as much progress in inquiry as was to be desired, or as had been done by its predecessor. I allude to the trial of her late majesty, the queen; a proceeding as little creditable to the justice and character of this House as it was to the honour and character of the country. This committee produced, however, an important report, after having examined many witnesses, and much documentary evidence, as the appendix to their report will testify: this committee also came to several resolutions, founded upon their investigation, tending to verify and confirm the allegations of the petitioners.

Early in the next session, I applied to the House a third time for the appointment of a committee on this same subject of the royal burghs of Scotland. But, now, a still greater change was to be made in the members of this committee; fewer of my friends—more of my opponents, and more placemen. So much indeed was this committee altered, that I must take blame to myself, for having agreed to prosecute the inquiry with a committee so composed. I must also throw some blame upon those members who, after having attended zealously the two former sessions, now absented themselves by degrees, till at length the usual attendants dwindled to four or five placemen, the member for Aberdeen, and myself. It soon became manifest in that committee, that I, as chairman, had no influence whatever: I mean no influence in those matters, which are usually left exclusively to the chairman; namely, the collecting evidence, and summoning witnesses, and arranging the mode and manner of conducting the inquiry. The discoveries we had made, had been all made by parole evidence, in the two former committees. Parole evidence was now refused by a majority of this committee; and the first month of our time was consumed by internal squabbles and altercations. So much, and so strongly was this refusal of evidence felt to be fatal to our progress, by myself and a few others, that two of the most zealous and active members* who had served in the two former committees, and who had been accustomed to agree with me very much, and support my views, now abandoned the inquiry in despair—and asked leave of this House to be excused from any further attendance. Before they took this step, however, they made a final effort to bring the committee to what they conceived to be its fair and impartial duty. That effort failed; and they retired. From that moment I sat in the chair in the execution of a duty; but without much hope of performing any effectual service. In justice, however, to those two retiring members—in justice to myself and to this House, and to the petitioners, I have enabled the House itself to judge between the parties, by moving for the "daily Minutes" of our proceedings to be laid upon the table. Those Minutes will speak for themselves; and enable such members as peruse them, to form their own opinion. Towards the close of the session, I was, unluckily, called to Scotland, to vote at the election of a member of parliament for the county of Stirling. I engaged a friend to sit in the chair for me; and, previous to my departure, I pledged myself to the committee to produce a report of our proceedings, in a week after my return. Dates are important upon such occasions as these. I sat in the chair on the 18th May; and resumed my place there on the 1st of June, on my return from Scotland. The House will judge what was my surprise, on discovering, from the Minutes, that a draft of report had been read to the committee in my absence, in spite of the pledge I had given to produce a report in a week after my return—and read, too, to the numerous audience of six persons, besides the chairman. Be it observed too, that it was manifest, at this time, from the state of business, that the House must sit some time longer—and in fact, it did sit till the middle of July. A report, however, was produced, and was adopted—under what circumstances, the Minutes of our daily proceeding will testify. It does not become me to vilify that report; and, indeed, the fault I find with it is, of omission more than of commission. A committee that would not

* Sir Ronald Fergusson, and Mr. J. P. Grant.

hear evidence, could not make an ample report. It is meagre and imperfect, as was natural. If the object of a report be, to enable the House to judge of the matter examined by the committee, this report must, indeed, be miserably defective. It contains the speculations and opinions of some half dozen members of parliament, one half of them in office, but does not state the grounds on which they are formed, nor supply any evidence, from which the House might be enabled to form some opinion for itself. Whether the opinions there given be sound or not, it is not for me to decide; but this I may venture to say, that they are not founded upon any evidence taken by the committee, or upon any grounds suggested to the House. In much of what is stated I agree—from much I differ—and, upon the whole, must regard the report as superfluous in opinions, but defective in evidence.

One broad feature of the entire case, however, is very remarkable, and is manifest from each and all of the reports, and is very gratifying to myself, and ought to be very beneficial to the cause. I mean the broad, palpable, important fact, that the case of the petitioners is proved—incontestibly proved—even admitted to be proved, by its original opposers. One of the earliest proceedings of the first committee was, to separate and condense into distinct and specific allegations the various matters of grievance detailed in the numerous petitions presented to the House. All these allegations have been affirmed by specific resolutions, or by the general tenor of their report, by all three committees which have sat upon the subject. I will now proceed to read these allegations, eight in number, to the House: In the first Report, at page 35, it is said, "your committee cannot refrain from stating their impression, that the general allegations of the petitioners, as far as the committee have yet examined them, appear to be very much warranted by the evidence." In the second report, page 4, it is said, that "the allegations of fact are very generally and substantially true." And, in the third report, the whole eight allegations are "resolved" (substantially) to be established.

And here, Sir, I beg leave to contrast this result with the language applied to the case, when I first introduced the subject—and, again, when I obtained a committee. I was told I had no case—there existed no grievance—the petitioners were turbulent—the petitions were a disguise and cloak for parliamentary reform—and that the great majority of the burgesses were quite satisfied with their civic rulers and civic government—(the late Lord Advocate asserted, that the burgesses of North Britain were satisfied.) What a contrast do we now witness! The very persons who opposed inquiry upon those grounds—of no case, and no grievance—have now unanimously voted the grievances to exist, and the case to be substantially established. They have, indeed, thwarted my endeavours to expose the full case of grievance and mismanagement, and abuse, and corruption, as it exists; but they have been compelled to acknowledge the broad, firm substance of the case to be made out. Their policy seems to have been, to admit a good deal, which they could not disguise, in order to prevent the whole from being disclosed, which they were unwilling should appear. And thus, as a weak case requires but a weak remedy, their policy seems to be well suited to their object. The case has indeed been proved—even in this our third report—though but feebly proved. The magnitude, the extent, and the causes of abuse have not been probed. And those members of the three committees, who originally denied any case, and denied any grievance, and opposed any inquiry, may, indeed, exult that they have succeeded in robbing the case of half its strength—and thereby, perhaps, in robbing it of all its remedy.

Again, however, I call upon the House to contrast the origin and commencement of this case, with its progress and its close. At first, all was denied—at last, all is proved—though not proved, because—(and only because)—not permitted to be proved, in its full extent or its full inveteracy. And all the inference I ask of the House yet to draw is, that as it now appears that I and my supporters were originally right, and those who opposed me were wrong, that the House will not now take part with those who were wrong, against those who were right, but will judge for itself—will grant my request of going into a committee of the whole House—will then consider the three reports lately made, and also the report of 1793—and then come to such decision upon the whole matter, as these four documents, and not the mere speculative

opinions of the last committee, may seem to require or to recommend.

The last committee have, indeed, suggested a bill, upon their own views, as a remedy to the case made out—a remedy, indeed, quite inadequate to the case disclosed, but ten times more inadequate to the case not disclosed, but existing. I wish the House to consider well the nature and extent of the evil, and then compare it with the probable efficacy of such a bill, as is proposed by the committee to be the entire remedy for entire grievance—the single and sole antidote to all the poison which circulates in a corrupt and mismanaged Scotch burgh. But here, sir, I must be permitted to repeat, what I have often, nay, invariably said in this House, that I neither accuse all the Scotch burghs of being corrupt and mismanaged, nor do I accuse the managers, that is, the councils of those burghs which are mismanaged, of being, as individuals, dishonest or dishonourable men; it is the system of which I complain, and not of the persons who conduct it. But, that the existing system of burgh polity is inherently bad—and its natural effects noxious and debasing—noxious to the community, debasing to the individuals, I think no man can doubt who refers to the voluntary declaration of the magistrates of Aberdeen, put voluntarily upon record upon the council books of the burgh. And here I beg the House to recollect that it is against this odious, this noxious, incurably noxious system, described as you have just heard, and against all the various and extensive abuses that flow from it, that the Lord Advocate proposes as an effective and commensurate remedy, to invest the burgesses with the power of a lawsuit, the power of going to law with their magistrate; for strange as it may appear, that power does not exist at present. Magistrates have abused their trust, burgesses have appealed to courts of law: but judges have lamented, and still may lament, that they have no power to afford a remedy. A case of this nature was brought before the committee, regarding the burgh of Inverury, in which it was decided by a court of law, as one of our reports states, that "the complainers were not entitled to maintain any action of this nature against the magistrates, however culpable and negligent their management of the property of the burgh might have been."

I am aware, Sir, that I am bound to presume the members of this House to be acquainted with the contents of the three reports, and of the evidence attached to them; I am also bound now to address the House under that presumption, while I cannot dispel from my mind a doubt, whether any of those who hear me, and who will vote upon my motion this night (except the members of the several committees), have read a page of either reports or evidence. In order, therefore, to inform those who have not read them, even at the hazard of wearying those who have, I must trouble the House with a few extracts on the most material points. If the House accede to my motion, the details I am about to give will very much assist its judgment in estimating the evils complained of, and in discovering a remedy; if, on the other hand, the House shall refuse my motion, that refusal will not have been made by them wholly in the dark. In either case, too, I shall have discharged an important duty. I shall, now, therefore, refer to the reports in the order of time in which they were made, and read a few sentences from each.

The report of 1793, after giving a sketch of the ancient constitution of the royal burghs, and the modes of their elections, proceeds to notice setts and self-election. "By the two acts of parliament of 1469, and 1474, a principle of self-election appears to have been introduced. Further, this principle appears to pervade all the present setts, except, perhaps, three." In this same page, in order to show what self-election is, it is called "perpetuating the power of leading-men in council."—p. 13. This report observes, that—"Before the new system of burgh government was introduced by the act of 1469, there is no instance of any complaint that elections had been made by partiality or mastership."—p. 20. Again:—"It does not appear to your committee that any of the setts, except Aberdeen, and perhaps Cupar, and one or two more, are, according to the acts of parliament, mentioned in the papers produced. Neither do they appear to be in conformity with the charters; and it is evident, that neither in the acts of parliament, nor in the charters, is there any foundation or authority for many of the local usages that have been introduced respecting the modes of election in particular burghs."—p. 18. Other irregularities are noticed—and

frauds regarding the cess, or land tax, in these words:—"No less a sum of extra exaction in the course of ten years, from twenty-nine of the sixty-six royal burghs, than 12,336*l.* 16*s.* 1¼*d.*, or near one-third of the whole sum payable to government from those twenty-nine burghs. This extra exaction is not carried to the account of the revenue."—p. 18. The same report proceeds to notice the depredations on the common property of the burghs:—"Your committee have found it impossible to make any general and accurate state of the transactions respecting the alienation of the lands."—p. 22. "Two facts appear—that the magistrates and councils possess the power of selling and alienating the common lands of the burghs, granted to the burgesses by their charters, or purchased with their common monies, property or revenues; and that this power may be exercised in any manner the magistrates and council think proper."—p. 23. "The amount, it is added, of the prices of the lands alienated, in those burghs which have sold lands since the Union, so far as stated in the returns, may amount to about 100,000." Such are a few of the facts detailed by the report of the committee of this House, which sat in 1793, and which report was referred to all the three committees, which have sat upon the same subject, during the last three sessions, to aid their investigations.

And, now, upon a review of the whole matter—and of the whole evidence, given, as it was, by some witnesses, with a reluctance and hesitation, and even prevarication, quite convincing—I think I may venture to say, that there is no mode of mismanagement, no form of abuse, no species of neglect, no aspect of delinquency, which may not be found exemplified in practical detail in one of these four reports: there is to be found within them every kind of omission and commission, which the nature of a close-burgh system of self-election can generate, or ever was accused of. Fancy itself may roam at large through their pages, in search of any supposable delinquency, and be gratified; every sort of taste for misrule may there be suited; and every imputation that ever was made or imagined on a rotten burgh, will there find an active, nourished, uncontrollable existence; nay more, not only existence, but a vigorous self-propagation, by means of the self-election principle. This picture, Sir, is not overcharged, but is drawn from life. Nor have the evils and injuries of this system of misrule been confined to the mere concerns of the burgh in which they have any or all of them prevailed; but has extended itself to charitable institutions, to infirmaries, to hospitals, and other receptacles of misery and of want; many of which have been placed under the management of official persons, within each burgh, in perpetuity of succession. It is impossible for any one to read the evidence on this last point, in regard to the burgh of Aberdeen, and not feel the truth of these observations; and equally impossible to deny that this evil, as well as that of internal grievances, proceed mainly from the same fruitful source of mischief—self-election. Other examples in other burghs, and also in regard to other matters, may be pointed out, to illustrate this general position, and to justify the universal complaint of all the burghs, and their general concurrence in asking for the same remedy.

I will now proceed to notice a few sentences in the other reports, which justify and confirm the statements I have made; and I will mention the species of abuse or mismanagement, and the pages of the report I refer to, without quoting the entire passages. In the report of 1819, the principle of self-election, acting in perpetuity, is first exhibited;* then follows the imputation of ignorance† in

* 1. "It appears from the evidence of Mr. F. Howden, Mr. J. Spittall, and Mr. Alexander Henderson, all of whom have been Members of the town council (of Edinburgh), that, according to the present constitution, those who have once obtained a majority, have the means in their power of securing the re-election of themselves and their friends *in perpetuo*; and that this has in fact taken place ever since these witnesses have been acquainted with it."—P. 9.

† "The mode in which the books of the city have been kept, and their (council) ignorance of the true state of its revenues and expenditure, may serve to account for the present situation of its affairs. No book exhibiting an account of the debts of the city, or of its property, or of its nett revenue, or of the necessary annual charges on the revenue; or of the comparative amount of annual expenditure and revenue, has ever been kept, &c."—P. 19.

the members of council (of Edinburgh) of the pecuniary affairs of the city. Similar irregularity in the council of Aberdeen.* Profusion† of council of Aberdeen, and a fraudulent‡ attempt to make the community liable for the debts incurred. Bankruptcy§ of Aberdeen council declared, and the concern delivered over to trustees. Next follows improvident alienation|| of the town's property, and the melancholy fact of all the charitable institutions of Aberdeen being involved in the town's insolvency.¶ Again, the debt** of the town was stated annually to the burgesses, from 1800 to 1812, at the sum of about 6,000*l.*, when it amounted in fact to 150,000*l.*; and this, with the connivance of the magistrates; and then follows* illegal and fraudulent assessment by order of the council.

I have already said, Sir, that I impute these instances of flagrant abuse of power rather to the system of self-election, than to the guilt of individuals. And this opinion is confirmed by the testimony of the delinquents themselves, who were pleased, on retiring from office, to compose and record the following declaration:—"In justice to themselves, however, they (the magistrates and council), are desirous to place upon record their sentiments and opinions in reference to some of the various topics arising out of the embarrassments of the city treasury. They here, therefore, reiterate their decided opinion, that the present mode of election of the council, and management of the town's affairs, are radically defective and improvident, tending to give to any individual or party who may be so inclined, an excessive and unnatural preponderance, and to foster and encourage a system of secrecy and concealment, under

* "Mr. Hardie, who has acted as chamberlain since 1812, neither received any books of the cash transactions of Aberdeen from his predecessor—nor ever saw any such."—P. 21.

† "In 1816, the sum of 59,000*l.* had been borrowed to pay interest alone on the debts contracted, and the amount of debt for the new streets was then 171,000*l.*; while the revenue from them to meet the interest on that sum, was only 2,789*l.*, leaving an annual accumulating deficiency of 5,773*l.* All this expenditure was incurred without informing the burgesses or inhabitants, or ever calling on them to sanction it, although they considered them liable for the debt.

‡ "And in 1817, provost Hadden, for the first time, recorded the resolutions of the inhabitants of 1799, as a probative writ in the sheriff's court books; in order, if possible, to establish that liability!!!" —P. 22.

§ "In consequence of this (bankruptcy), the treasurer, magistrates, and town council, and new street trustees, made over all the property, feu-duties, and funds under their charge, to trustees, for payment of the treasurer's creditors." —P. 23.

|| "With respect to the property of the burgh, which is denominated common good. The fishings of the Dee and Don, now producing about 10,000*l.* a-year, have been alienated for an annual feu-duty of 27*l.* 7*s.* 8*d.*; now payable to the trustees for the creditors of the burgh." —P. 23.

¶ "Mr. Hardie, the chamberlain, states, that there is not one charitable institution under the management of the town council, whose funds have not been lent to the treasurer, and involved in the town's insolvency."—P. 24.

** "It appears, from Mr. Hardie's evidence, that these statements (to the burgesses at annual courts at Michaelmas) as long as he can remember, never did exhibit, and never were really intended to exhibit, a statement of the money affairs of the town. In 1810 the debt is stated to amount in whole to 6,874*l.*, when it really was 140,000*l.*, or 150,000*l.* And in 1813, and following years, till 1817, the debt was excluded from the statement altogether by the chamberlain and magistrates: because, as Mr. Hardie states, he considered there was as much propriety in excluding the debt altogether, as in stating it to amount in whole to 6,800*l.*, when in fact it amounted to 150,000*l.*"—P. 25.

* "In that year (1812) the stent masters, appointed by the council, refused to assess more than was authorized by act of parliament; and the town council, after consulting their assessor, who was of opinion the tax was illegal, discontinued it till the present year, when they have again directed nearly 200*l.* to be levied more than the statute authorises, although the town clerk says, he brought the assessor's opinion before the council at the time such directions were given." —P. 26.

which the most upright and best intentioned magistrates may not be able to acquire that thorough knowledge of the situation of the burgh, which is requisite for the administration of its affairs. The subscribers are therefore of opinion, that some change ought to be effected in the manner of electing the council, and an effectual control given to the citizens over the expenditure of the town's office-bearers."—P. 27. Whether this declaration proceeded from a sense of shame at their own misdeeds, or from a desire to warn their successors, and thus benefit the community over which they had presided so unworthily; I cannot pretend to say; but it exhibits, Sir, a remarkable contrast between their opinions, as men, and their conduct, as magistrates.

The same report exhibits gross irregularities in the burgh of Dundee, and a "defective state of all the public establishments." But the most remarkable point in evidence regarding this burgh, is, that the magistrates and council, most honourably and creditably to themselves, in 1817 concurred with the burgesses in measures for the alteration and improvement of the sett.* In the burgh of Dunfermline the system of self-election is stated to be so strong and inveterate, that, "although the whole of the incorporated trades and guildry were united against the present party, they would not be able to make any impression upon their power."—P. 33. It appears, also, that in this burgh the amount of cess levied was greater for many years than was paid to government; and also, "that notwithstanding the heavy amount of cess thus levied on the community, there is, at this moment, no less than nine years of cess due to the Exchequer."—P. 33. In one return to an order of the committee, the magistrates themselves observe, "It is not easy to ascertain with accuracy, the exact periods when, and for what purposes, the debts were incurred."—P. 34. Abuses are next noticed as to leases of the town's property. "This is, indeed, usually let by public roup, or auction; but the lessees being generally members of council, the terms of the original agreement are afterwards so modified in their favour, as to make the transaction wholly different. From this system of favoritism it appears in evidence, that in one extensive farm, let to a member of council, the town, instead of receiving rent, was, at the end of the lease, rather a loser by the transaction."—P. 35.

The Report of 1820 discloses that, in "the burgh of Cupar, in Fife, seats in council had been frequently bought and sold; and, that the system of alternate election and re-election between individuals, by bargain, in continual succession to each other prevailed there among the merchant councillors, was admitted, by the parties to such proceedings."—P. 5. The several distinct resolutions of the committee, detailed at the conclusion of that report (of 1820), affirm the general tenor of the allegations, and establish many of the complaints of the petitioners, among which, not the least mischievous, is, "the secrecy with which all the pecuniary transactions of the councils are generally conducted."—P. 7.

The report of 1821 was not written or produced, as the former ones had been, by myself, as chairman; but was composed and produced during my short

* "The magistrates and council, premising that the numbers and high respectability of the gentlemen who had signed petitions for an amelioration of the sett, obviated every doubt as to the unanimity of the town; and that the best interests of the town demanded a much greater change than the petitioners had asked, passed an unanimous resolution to apply in conjunction with the burgesses, for such a sett, or municipal constitution for Dundee, as the king in council had granted to Montrose. Doubts being afterwards raised, whether a change to that extent could be obtained, except by the authority of parliament, the town council, guildry, trades, and burgesses, uniting in their application, obtained from the convention of royal burghs, the partial improvement already mentioned, by which three out of the twenty-one members of council are annually elected by the Guildry, and the trades. Mr. Small, Mr. Jobson, and provost Riddoch agree, that the town requires and would be benefited by a still more extensive change. Provost Riddoch, in particular, closes his evidence by declaring, on mature consideration, and after an experience of forty years, it is his decided opinion, that a legislative enactment to enable the burgesses of Dundee to choose their own magistrates, would give general satisfaction, and be a very great benefit both to the town and country."—P. 31.

absence from that committee. It was drawn up and supported by those members, who had not only differed with me invariably in the whole progress of the inquiry, but who, most of them, had also originally opposed any inquiry at all. I cannot, indeed, but regard that report as meagre and defective; it gives rather the speculative opinions of the members of that committee, than executes the orders of the House, by collecting evidence and detailing information. The system, indeed, of voting opinions without evidence—and that, too, after having refused to admit parole evidence, was carried to such an extent by the majority of this committee, that from this and other causes, two of its members, as I have already observed—two of my most zealous supporters—withdrew from the committee in a very early stage of its labours. This report is valuable, however, as affording the testimony of my opponents, that the case I undertook to prove, is fully established; and I complain of it, rather for its omissions, than its commissions. That report states, that previous to the Union "it was necessary that the magistrates and officers should be persons residing within the burgh."—P. 5. I ask here, Sir, does this necessity now exist? And will the intended bill of the lord advocate either enforce such residence, or remedy the want of it? The evils of non-residence are stated most forcibly in this, the report of my opponents. Its words are: "In many instances, in consequence of an usage exceeding a period of forty years, residence has become no longer a requisite in the choice of magistrates, and other officers belonging to Scotch burghs. The consequence of this may easily be imagined. Persons holding offices in burghs, and not residing in the vicinity, can neither be acquainted with the nature of the actual management, nor have it in their power to prevent abuses. This seems fully illustrated by the circumstances in proof, regarding the burgh of Inverury. It is impossible to suppose that the instances of mis-management, which are there established, ever could have taken place, had the chief magistrate been resident in the town, or its immediate neighbourhood."

And now, Sir, at the close of the quotations I have made—and if the House will go into a committee, I shall be able to make ten times as many of the same tenor and import—I venture to maintain, that the four reports are in perfect consistency, however they may differ in force of evidence, or minuteness of detail; that they all four confirm and corroborate each other; and that they fully and firmly establish the truth of the petitions, and the strength of the case. It must be obvious to every one who hears me, that the substance and detail of these four reports can only be properly examined in a committee of the whole House, agreeably to my motion. And if they are not to be so examined, I ask, what is to become of them? Are they to be no more heard of? Will the House act so inconsistent a part, as to appoint three committees in three succeeding sessions, receive three reports, order them all three to be printed, and then never notice them more? The bill of which the lord advocate has given notice, relates to one point only of all the mass of evidence which has been disclosed; at least, the notice he has given, mentions no other object of his intended bill, than regulating the mode of accounting, and preventing undue expenditure in the burghs; and such was the sole object of the bill proposed by his predecessor. I shall, probably, hear this night, in answer, as I have so often heard in the committee, that chartered rights must not be infringed, and the act of Union must not be violated. These two objections have always been urged by my opponents, as an insuperable bar to any interference with self-election. "By the 21st article of this Union it is provided, that the rights and privileges of the royal burghs in Scotland, as they now are, do remain after the Union, and notwithstanding thereof." I deny that the act of Union, or chartered rights, form any valid impediment to the measures I would recommend; avowing as I now do, and always have done, that I can propose or imagine no remedy to the evils of this case, of which some modification of the self-electing system, does not form a part. Some change in that monstrous and noxious principle must form the groundwork of any measure that would satisfy me, or satisfy the burgesses of Scotland.

But in order to demolish these two objections, I have only to refer to another part of this very report, in which they are represented to be so formidable. At the ninth page is this sentence: "They (the committee) beg, at the outset, to declare, that if it appeared to them to be

impossible to apply an adequate remedy to admitted grievances, without recommending so fundamental a change in the law and practice of the Scottish burghs; (as any change in the system of self-election) they would have had no hesitation in adopting the proposed plan, or any other, even of a more extensive nature, that might have been demanded by the pressing exigency of the case." By this sentence the rights and privileges of the Scotch burghs, under the Union, are admitted to be not impregnable; and the question is placed on the footing I have always wished to place it, on the "exigency of the case." Again, as a matter of fact, with reference to the inviolability of the Union, I must observe, that the article immediately preceding the one quoted, bears that "All heritable offices, superiorities, heritable jurisdictions, &c. &c., be reserved to the owners thereof, as rights of property, in the same manner as they are now enjoyed by the laws of Scotland, notwithstanding this treaty."—Art. 20. of 5 Ann, c. 8. It is almost superfluous to add, that these heritable jurisdictions, so reserved, were wholly abolished by 20th Geo. 2nd, c. 43.

The plea, or rather pretext, of chartered rights, is still more weak and flimsy. The rights that were given to each royal burgh by charter, have been so invaded by power—so frittered away by changes—and casualties unexplained—and so demolished by systematic abuse—that scarce a vestige of the rights conveyed by original charter remains now to any of the burghs. But to whom were those rights originally granted? Not to a junto of self-elected magistrates; no—nor to magistrates and council, however unobjectionably elected—but to the burgesses and inhabitants, or to merchants, burgesses, and community; as the report of 1793 has satisfactorily established. Again; what has been the modern treatment of these chartered rights, unassailable as they are represented to be? They have been, frequently, altered and modified by the Crown—altered and modified, more frequently, by the convention of royal burghs—and altered and invaded, and subverted, not frequently, but constantly and systematically, by the magistrates and councils themselves. Instances of these alterations of the setts by the Crown, and by the convention of burghs, are given in the reports—and alteration by abuse is a power always operating, rarely failing, and never controlled. Nay, Sir, the law itself condescends to lend its aid to this power. Abuse of forty years existence is declared by law to be valid, under the name of usage; so that forty years of successful wrong, perpetrated by those who are appointed, or rather, who appoint themselves, to be the guardians and protectors of the privileges and interests of the burghs, is, by law, made to constitute right.

I earnestly beg the attention of the House to this pretext of chartered rights, as it is now practically applied, or misapplied, to this case. It is said "chartered rights are sacred"—yet the Crown may, and does alter them—yet the convention of burghs may, and does alter them—yet usage, that is forty years abuse, may, and does alter them—and is valid against original setts, as first established—against chartered rights, as granted or renewed—and against acts of parliament, however framed—that is, against law itself.—And, while this facility of alteration is blazoned to our sight, to effect the stability of abuse, the legislature, the supreme authority of the state, acting by its triple check of three estates, after universal petitioning from the burgesses—after investigation by three committees—it cannot, it is said, attempt any alteration of this self-electing system, "without making a dangerous precedent."* Can such preposterous arguments prevail with this House?

And be it remembered always, that these unalterable chartered rights have been fretted and fritterred away by the alterations of systematic abuse, till scarce a wreck of the original setts is left behind. It reminds me of the school-boy's difficulty, whether a ship which had been damaged and refitted till not a plank of the original vessel remained, could properly be called the same ship or another.

But the injustice and outrage upon the burghs, by this facility of change by abuse—and immunity from change, by the legislature—will appear more manifest and more vexatious, when it is coupled with the melancholy fact, that the laws which have been made for the protection of the burghs have been allowed to fall into abeyance, till the strange doctrine of *Desuetude* has rendered them, not only inoperative, but incapable of operation. What can be, what must be, the result, if abuse is allowed to be always in vigour

* Report of 1821, p. 8.

and activity, nay, to become valid, though spurious, law—while statute law, the corrective, is doomed, in a few years, to become dormant and obsolete? Yet such is the state of things—the acts of parliament for the benefit of the burghs are in desuetude, while the abuses, for their injury, are in perpetual force.* All these assertions of mine I pledge myself to prove, if the House will go into committee.

But, Sir, strong as the case is from these reports, in favour of some reform, I do not rely upon them exclusively, but venture to appeal also to the common opinion and common language of all persons acquainted with the internal mysteries of a Scottish burgh. Nay, I shall even be glad to hear the opinion of the lord advocate himself, as to their purity and soundness. I am quite sure, that I would willingly submit the decision of this matter, to any twelve gentlemen taken from the opposite side of the House, if that decision were to be given under the usual sanctions of the verdict of a jury; and not, as will be done this night, as the vote of a political party. And this reminds me also of the miserable feuds and debasing struggles, which take place within these theatres of self-election, when political, or other causes, stimulate another party to attempt the subversion of existing power. The means are worthy of the scene of action, and in harmony with its worst defects. Some one individual commences a treacherous sort of canvass among some of his colleagues, against others of his colleagues, professing all the while perfect fidelity to their common cause and common interests; and having extended his successful treachery through a majority of his colleagues, on the day of annual election, when all seems harmony and confidence, he springs his mine, avows his own baseness, and that of his new converts, who—thus becoming a majority—declare their votes in favour of the new party, which treachery has thus consolidated into a new council; and which new council, after a few years reign by this odious power of self-election, is doomed to be displaced by the same system of fraud, perfidy, and baseness, to which its predecessor has just fallen a victim. Can the lord advocate, or any man present, contradict this representation of the internal struggles of a Scotch burgh? or deny that it is a true and faithful picture of what occurs, on such occasions?

I have already wearied the patience of the House; but I must add a few words —and but a few—upon the subject of a remedy to this complicated mischief. I must, however, in the first place, disclaim any inclination to those wild and extensive changes, which have been so often imputed to me, namely, to annul all the setts—violate all the charters—and wholly annihilate, not only the substance as it now exists, but every vestige of self-election. I have no such views. Nor do I believe, that any one member of any one of the committees, had any such. My object is, to produce some community of interest and of feeling—and some harmony and confidence in Scotch burghs—between those who govern, and those who are governed—and, perhaps, even some dependence of the former upon the suffrages of the latter, for their situations of power and of trust. Nothing of all this can be made to subsist under the actual system or self-election. The means by which I would effect this change, must vary in different burghs, owing to their different size and population; that is, of the materials of change. The outline of means would be, as applicable to large and populous burghs—1. To restore the Guildry, and to allow the Guildriés to elect the dean of Guild and a proportion of the town council. 2. To throw open the corporations to all persons of property or renting houses to a certain amount, and allow them to elect their own deacons, without any interference—to allow such deacons to elect a proportion of the council. 3. To admit these two proportions

* By the act of 1487, c. 108, it was enacted, "that the election should be made of the best and worthiest indwellers of the town." By the act of 1503, c. 80—"That all officers, having office of jurisdiction within burghs, should be annually changed, and that none have jurisdiction within burgh, unless they use merchandise within the same." By the act of 1535, c. 26—"That no man, in time coming, be chosen provost, baillie, or alderman into burgh, but that they are honest and substantial burgesses, merchants, and indwellers of said burgh." By act of 1609, c. 3—"That no person, in time coming, shall be capable of provostie, or other magistracy within any burgh, but merchants and traffickers inhabiting within the said burgh allenarly, and no other."

to elect the remainder of the council annually; and the whole council to appoint the magistrates. 4. The magistrates to go out of office every one, or two, or three years, but to be capable of re-election. I purposely avoid going into minute detail, because the only proper time for such detail is, in committee of the whole House; and if that be granted to my motion, I shall then be prepared to state my views more minutely; and the Lord Advocate will also be able to state the objects and provisions of his intended bill; and the House will be able to judge of, and to appreciate, what is proposed, to meet the case detailed in the reports.

Before I sit down, Sir, allow me to observe, that no man in this House can be more sensible than I am myself, of the various defects and the numerous omissions I have been guilty of, in what I have now addressed to you. Much I have forgotten; and much I have omitted, from mere excess of matter contained in four reports. I wish, however, to rest the strength of my motion—the force of my claim to go into committee—not on what I have now said, but on the tenour and substance of the reports themselves—which must be so considered, or not considered at all. The two most material omissions I have made, are regarding poll-warrants, and the late law-suit against the magistrates of Edinburgh, which lasted three years, and was then abandoned in despair. The former is of immense importance in itself, as well as in its consequences on the burgh polity—the latter is an apt and appropriate illustration of the nature and the efficacy of any such remedy to the grievances complained of by the burghs. I am, indeed, more conscious of my omissions this night than any person who hears me, from my being more, perhaps, than any one, conversant with the abuses of the burgh system. Whatever may be the effect of what I have said, I am bound to acknowledge, in justice to the extensive interests for which I am speaking, that I have omitted ten times more than I have stated—and to remind the House, that one of the reasons, why I ask for a committee of the whole House is, to supply those deficiencies, and to obtain, in the only practicable mode, a fair and full investigation of the subject. And I now implore the House, that they will show such respect to three committees appointed by its own orders—and the three reports they have produced—such respect to the number and quality of the petitioners—and to the importance of the subject, as to give to the entire case a fair, a just, and impartial consideration. I move, Sir, "That this House will resolve itself into a Committee of the whole House, upon the Royal Burghs of Scotland."

The *Lord Advocate* stated his surprise at the conduct pursued by the noble lord. After the three voluminous reports of three different committees which had been laid on the table of the House, he had expected that the noble lord would have followed one of two courses—either that he would have brought forward some specific remedy for the evils of which he complained, in the shape of a legislative measure; or else, that he would have waited till he had seen the bill, of which he (the lord advocate) had given notice, and which the committee had deemed sufficient for the object in view. The nature of that bill he was not bound to state; but he thought that the noble lord, from the recommendation of the committee, might have guessed that it was of a comprehensive nature, and sufficient to effect a remedy for the existing grievances, without injuring any chartered rights, or violating any article of the Union—which the reform proposed by the noble lord was certainly calculated to do. He made no scruple in declaring, that his plan would not alter the constitution of the royal burghs. He thought it right to state it thus explicitly, because he could not view any alteration in the constitution of them in any other light than that of a parliamentary reform of the boroughs of Scotland. Such a reform might, or might not, be right, but, at any rate it ought to be judged by its own merits, and not be determined upon by a side wind. That the noble lord himself considered the question of burgh reform as calculated to produce parliamentary reform, was evident from many of the steps which he had taken, but more especially from this—that though there were both burghs of regality and burghs of barony, whose internal government was replete with the same abuses as the royal burghs, the noble lord had not attempted to obtain any reform in their constitution. And what was the reason for this conduct? He would tell the House in a few words:—The royal burghs (at least those for which the noble lord had interested himself), returned members to parliament;

whilst the regality and barony burghs did not enjoy that privilege. Among these, the populous towns of Paisley and Hamilton, near to the residence of the noble lord, were to be found; and he would say, that the latter place in particular called for investigation. Abuses prevailed there, particularly as connected with the gaols; in which the prisoners were exposed to the utmost misery and privation. He was surprised that, in his zeal for improvement, these things had escaped the vigilance of the noble lord; for he was sure they loudly called for inquiry and for amendment. With the exception of Edinburgh, there was no burgh in Scotland which gave its voice directly in the election of members of parliament. Four or five persons, chosen by the respective councils of the district, met together in a room, and settled who should be the member of parliament; and, talking of self-election, he might here remark, that the hon. member for Aberdeen was chosen in this manner. There were two deputies for him, and two against him; and he, by his own casting vote, determined his own election. An alteration, therefore, in the election of the councils which chose the electors, would be in effect an alteration in the mode of electing the members to that House; which, if it were fit to do at all, should be done openly. As to the mode of proceeding in the committee, they had classified the grievances complained of, and had selected six of the principal towns in Scotland to inquire into their concerns under those heads of grievance. As to the general charge of corruption, he denied it. There had assuredly been much mismanagement; the magistrates had spent more of the public money than perhaps was wise; but yet the expenditure should not be judged of by mere figures, when it was intended to promote the good of the towns. In Aberdeen, for instance, the money had been expended in great and important works which had promoted the prosperity of the place; and though the burgh had been said to be bankrupt, it was going on well. The same magistrates who had been complained of were now acting; and under their management the town was prospering. [Hear, hear! from Mr. Hume.] The hon. gentleman seemed to dissent. He understood this to be the case, but the hon. member for Malmesbury (Mr. C. Forbes) could speak to this better than himself. The same was the case as to Edinburgh. The expenditure might not have been wise, but it had been applied to purposes of which Scotsmen were proud—to improvements so great, that a man who had left Edinburgh for ten years would not know the place again. The magistrates had spent 80 or 100,000*l.* on half-a-mile of road, one of the entrances to the city of Edinburgh. —The committee had gone through the cases of the six burghs they had selected; and they had put the question on each of the allegations of grievance—was it proved or no? and they had decided in each instance that it was proved; so that the committee thought it would be mere waste of time to inquire into the case of the other burghs; as the full proof of the allegations of the petitioners could only support the conclusion the committee had already come to.—But, in addition to the allegations of grievance, there were others that were matters of inference. The noble lord and his friends attributed the cause of the grievances to the mode of election; the committee attributed it to the want of the old checks on burgh expenditure. The revenues of the burghs of Scotland were grants of the kings of Scotland, and there was anciently a control over the expenditure of them in the court of the chamberlain of Scotland, and afterwards in the old court of exchequer. At the time of the Union, a new court of exchequer was established in Scotland on the model of the English one, and there was a doubt whether this new court possessed the power exercised by the old one, and they decided that they had not. He very much doubted the validity of that judgment; and the more so, because of an elaborate judgment delivered by the lord chief baron in the last session, in which he affirmed, that in addition to the powers similar to those of the English court, the court of exchequer in Scotland inherited the power of the ancient court in that country. It was better, however, to avoid a law suit; and one of the objects of his bill was, to make this clear, and to give the power to the court of Exchequer. This check the committee had thought would be effectual; and they had also thought that the remedy proposed by the noble lord would not be effectual. The House should recollect that there had been an instance of the constitution of a burgh, that of Stirling, to which, whether properly or no, the Crown had granted the right of electing the magistracy.

But was that now better than the other burghs. A motion was made in the committee, to report to the House the complaints from Stirling, where there was as much crimination and recrimination as to the funds, as in any other burgh. With this fact before their eyes, the House should not adopt a measure which would change the mode of returning members to that House, and thus infringe on one of the articles of Union. Not that he contended, that the articles of Union could not be changed by parliament, but he contended that they should not be touched before all other remedies for the evil had been tried; and especially that remedy which a committee of the House had conceived would be effectual.

Mr. *Hume* rose at that stage of the debate to correct several inaccuracies in the speech of the learned lord. As the learned lord had however observed, that the committee was unanimous, that all the allegations of the petitioners against the abuses in the Scots burghs were fully proved, it was well that the House should know what those allegations were. The petitioners alleged, that the magistrates were self-elected and irresponsible; that the public property had been wasted and sold by them, that the funds of public and private charities entrusted to them, *ex officio*, had been seized and destroyed. All these points the committee unanimously agreed were fully proved: and it also appeared—though on that point there was some difference of opinion—that the burgesses at large were answerable for the debts of the magistrates; who were not however, responsible to them, and who had been in the habit of refusing the burgesses any control or interference. As to the assertion of the learned lord, that there was only misconduct in money matters, and no corrupt misapplication of it, had he forgotten the case of the president chief magistrate of Inverury, who had been prosecuted for selling justice? He (Mr. H.) had no doubt that if they had inquired into all the sixty burghs, instead of six, they would have found abuses in fifty of them. These allegations had been thus admitted to be proved by a committee most hostile to all reform. He was sorry at the time that his noble friend had moved that the petitions of the different burghs should be referred to a committee, because he was sure that no effectual remedy would come from such a quarter. He would beg leave to detail to the House what had been the conduct of the last committee. The committee itself, after sitting, and debating, and trifling its time, decided that it was enough for them to affirm the allegations to be proved, without inquiring into more than the six cases; yet, now having admitted, that the whole of the allegations were proved, and refusing to take evidence, as superfluous, the lord advocate now took advantage of that fact to assert that the case was not proved, that they had a right to take advantage of the extent of the admission, as if it had been proof. He would state an instance of the disposition of the committee, in their conduct to his noble friend, who was the chairman. It was usual in all committees for the chairman to draw up the report. His noble friend had gone to the north to exercise his elective franchise, and the lord advocate and lord Binning had drawn up a report. This was on the 31st of May; and his noble friend had declared, that he should have his report ready by the 5th of June. He (Mr. Hume) proposed, that the decision on the report should be adjourned to the next day of sitting, to allow of the return of his noble friend, but it was objected, that the session was coming to a termination (though it had then six weeks to sit), and the result was 7 to 1 against the postponement. He did not think that any gentleman would say he had acted unreasonably in endeavouring to obtain further delay. Yet this was the committee on whose report the learned lord called the House to place confidence! He did not believe that any other seven members in the House would have acted thus, and the value of their opinion in favour of the lord advocate's plan might be gathered from this fact. He (Mr. Hume) had proposed in the committee a resolution, that as under the present system such abuses had prevailed, it was expedient that the burgesses should have a power of electing a portion of the magistrates, as they were accustomed to have before the year 1469. His noble friend (lord A. Hamilton) had, when he first brought the state of the burghs before the House, stated, that his object was not a change in the mode of returning members to parliament. He (Mr. H.) had admitted from the first that his end was to give the people of the burghs a share in the election of members of the House [Hear, hear!]. Why, if they would not begin in this small way, what

would they say to the cry of general reform, that was resounding through England? He would refer the House to the protest of the Scots parliament on religious toleration, which admonished the oppressors not to strain the strings till they broke. He had no desire to blame the men, but the system. Whether it would be in his time or no—whether in his quiet way, or by some sudden emergency—he was sure that reform would be effected. As to a point mentioned by the lord advocate, he should say a few words. On the 27th of September, 1815, the council of Aberdeen, on leaving office, put on their records a declaration, that honest men could not go on under the present burgh system; but though they had thus virtually declared themselves knaves (for they had gone on for years under the same system under which they had declared that honest men could not act), his majesty's ministers reinstated them. It was said by the learned lord, that the town was not now a bankrupt. How did the noble lord bear himself out? The magistrates, on being reinstated, had delivered over the whole property of the town to trustees, for the benefit of the creditors. What was this but a bankruptcy? What did a bankrupt do? He delivered over his property to others to administer it for the benefit of his creditors. The trustees, it was true, had acted very judiciously, and had been able to pay 4 per cent (instead of five) on the debts. The inhabitants would not endure that the magistrates should any longer administer the property which they had so much misapplied. Yet this was the example which the learned lord gave of a magistracy perfectly competent to manage their own affairs. If any of the improvements which the noble lord had talked of were visible, he should pardon the waste of property. But when he was at Aberdeen, he had seen none of the magnificent improvements; nothing but a quay run out into the sea, which every day was in danger of destruction, and which the best-informed persons imagined threatened by being thrown down by some heavy storm, the destruction of the navigation of the harbour. But this was not all, they had got the funds of all the hospitals and other charities into their hands, to the amount of 75,000*l.* and had squandered them away with the rest. He believed, in truth, that if the whole of the property of the burgh could be sold, it might just pay the debts. But, was it nothing that the whole of the property of that richly-endowed burgh, granted by the kings of Scotland for the perpetual use of the burgesses, had been squandered, and that it was handed over to trustees for the benefit of the creditors? If the property had been really expended in improvements it should be recollected that improvements should be proportioned to their means, whether in a corporation or a state. But the magistrates of Aberdeen were like his majesty's ministers, or rather the better of the two; for the property of Aberdeen would perhaps, if brought to the hammer, pay off the debts; but the fee-simple of this country certainly would not equal the capital of the public debt. "Birds of a feather flocked together," so that the magistrates of Aberdeen might calculate on the able support of his majesty's ministers, and their re-appointment to the magistracy after such conduct was a proof of the kind protection afforded to them by government. As to Edinburgh, the case was pretty nearly the same:—the property was probably about equal to the payment of the debts. This was the sample of the economy of the burghs which the learned lord had adduced! Now, what remedy had his noble friend asked? Merely to give the burgesses the right which they had enjoyed from time immemorial previously to 1469. It was recognised by five or six subsequent statutes, and they ought to enjoy it in their mode of election, not only for the safeguard and due control of their property, but also to secure a confidence in the due administration of justice. The hon. baronet (sir G. Clerk) might laugh; but if this reform took place, he knew that hon. baronet would not make his second appearance there as the representative from his part of the country. [A laugh, and hear.] It was to be recollected, that in the claim of rights in the reign of William and Mary, the abdicated family, among their other crimes, were charged with having deprived the burgesses of the right of electing magistrates. It was not to be wondered that the people of the burghs were anxious on this point; for, in addition to the administration of all the property, the magistrates administered justice, for the bailies had separate courts. He had no doubt his majesty's ministers would oppose such a change; for if the people had any share

in the elections in Scotland, their majorities in that House would not be so large. If the powers of election were given to the burgesses, he (Mr. Hume) was an example what they would do. This was ominous to his majesty's ministers [a laugh]. True it was, that his predecessor sat for 25 years behind the ministers; having been a proctor in the Commons, he had obtained a lucrative office as register in the Admiralty court, and having had all the odds and ends, was their most constant adherent. But no sooner was the power of election given to the burgesses in Montrose (for which he thanked his majesty's ministers), than they put that gentleman out of the saddle and had placed him (Mr. H.) in his place. It was said, that since the first committee had sat, some of the burghs had a little mended their manners; but before that time the people of Edinburgh had never been able to get an account of their expenditure, until after the labours of the committees of 1816 and 1817. They only got it when the information could be no longer withheld, just as the noble marquis opposite relinquished the horse-tax when he could not help it. In Glasgow a public annual account was very properly made out and they deserved credit for what they had done in that way. He trusted that the House would at length see the justice of giving to Scotland something like a fair opportunity of choosing their own magistrates. There would then no longer exist private jobbing in the corporations, in which every man had his turn. They would then hear no more of a member taking a lease of town property for 250*l.* a year, and then having it reduced 50*l.* or 100*l.* by the release of the corporation. The only possible way of preventing such occurrences was to accede to the present motion. The hon. member concluded by saying, that what the people of Scotland wanted was just and reasonable, and that without that concession there would neither be harmony, nor peace, nor good management in that country. What the learned lord gave them was the power of going to law; but who was the burgess that had an individual interest to go to that expensive remedy? He should therefore support the motion of his noble friend.

Lord *Binning* expressed his satisfaction at hearing the hon. member for Aberdeen avow, that parliamentary reform was the real object of the course which he took upon this occasion, and that that measure should commence in Scotland which it was proposed to extend to this country, and the adoption of which it was apprehended would lead to the subversion of the constitution: for such an avowal must serve to put those gentlemen on their guard who duly considered the tendency and probable effects of that measure. He deprecated the noble lord's proposition for inquiry, because he was satisfied, that if it were entered into, the investigation would be endless, especially with respect to the voluminous books and accounts of the several Scots burghs. But he thought it quite inexpedient to adopt the noble lord's motion for inquiry, until the plan, which the bill mentioned by his learned friend would fully disclose, was before the House; for the provisions of that bill might serve to remove the evils against which the noble mover so strongly protested. According to the statement which the House had heard from his learned friend, it appeared that by the bill of his learned friend all the measures which the noble mover had in view would be carried into effect, with the exception of parliamentary reform, which he trusted would always be steadily resisted by that House. At all events, it would become the House to abstain from deciding in favour of the noble lord's motion, until it was seen how far the bill of his learned friend extended, and whether it would not attain every object of the noble lord that was really desirable. But as to the point of reform, for which the noble lord was so anxious, he trusted that the decision against it that evening would be carried by such a majority as to satisfy the country that that measure would receive no countenance in parliament. The noble lord had adverted to the articles of the Union; but he seemed to forget that the adoption of his proposition would involve a direct violation of those articles, which were especially framed to defend the Scottish people against the breach of their chartered rights. The hon. member for Aberdeen, (or perhaps he should rather say for Montrose) had stated, that several of the Scots burghs, and particularly those of Aberdeen and Edinburgh, were in a state of bankruptcy, and that they had applied very improvidently, the public money entrusted to their care. But, how could such a charge be applicable, especially to

these two burghs, considering the very important improvements made in both by their respective co-operations, which improvements could only have been made from those very public funds which the hon. member for Aberdeen had thought proper to say were most grossly misapplied?

Mr. *Kennedy* said, that if the motion were not agreed to, the people of Scotland would have reason to complain of the conduct of that House, and of the principles upon which they acted. One set of gentlemen had objected to this motion, on the ground that it insidiously went to introduce the principle of parliamentary reform into Scotland. But upon this ground, any proposition of amendment might be resisted, as every such proposition must lead to reform. For himself, however, he was ready to say, that he should not think any proposition of amendment in Scotland worthy of support, that did not tend to the establishment of reform in that country, where the system of popular representation was so egregiously unequal, that Edinburgh, for instance, containing a population of no less than 120,000 souls, was represented in that House by a member who had only nineteen votes; for that was the number who voted for the return of the right hon. gentleman opposite (Mr. W. Dundas). But if the House would go into the proposed inquiry, the gross injustice of the general system of representation for Scotland would be fully exposed. The hon. member defended himself and others with whom he acted, upon the subject of their secession from the committee appointed in a former session to investigate the corrupt condition of the Scots burghs, alleging that they were influenced on this occasion by a fact which was quite palpable, namely, that several gentlemen came into that committee with pre-conceived opinions or impressions, not at all likely to yield to any evidence that might be adduced. Against such prepossessions he and his friends thought it vain to contend; and therefore they seceded from the committee, notwithstanding their conviction of the means which they possessed to establish all the allegations of the various petitioners. With regard to the articles of the Union, to which the noble member for Rochester had alluded, he was prepared to maintain, that those articles offered no obstacle whatever to the adoption of any measure for ameliorating the condition of Scotland, whether it respected its representation in parliament, or any other public object. The Crown had notoriously interfered with respect to the representation of Stirling. Upon what ground, then, could it be contended that the people should be precluded from any such interference, upon any subject favourable to the popular cause? The hon. member ridiculed the idea of postponing the adoption of his noble friend's motion until the promised bill of the lord advocate should be laid before the House. If such bill should be found to answer the ends in view, the adoption of his noble friend's motion could in no degree operate to impede its progress.

Mr. *C. Forbes* said, that the embarrassments of the burgh of Aberdeen had been very much exaggerated. The magistrates had effected very large reductions in the debt, which debt he doubted not they would soon be able to pay off, with 5 per cent interest. He must beg to contradict one part of the statement of an hon. member, who had said, that if all the revenues of the burgh of Aberdeen were mortgaged, they would be insufficient to defray its debts. The House would not fail to observe with pleasure, by the speech which they had just heard delivered by a noble lord, that arrangements had been adopted by the magistrates which reflected upon them the highest credit. Indeed, the improvements which had been effected in Aberdeen within the last twenty or thirty years were truly surprising; and such as no person, at that distance of time, would have ventured to predict. The manufacturers were active, and trade was in a most flourishing condition. He then adverted to the conduct of the burgh magistrates, and vindicated them from a charge which had been most unfairly thrown out against them, of having applied the public money in a very improvident manner. He had lately received a letter from one of those respectable individuals, informing him that the hon. member for Montrose had himself declared to them, that he never meant to insinuate any thing against their honour. After such a declaration, it was somewhat singular that the hon. gentleman should hazard aspersions, reflecting upon those magistrates. In allusion to one part of the hon. gentleman's speech, about the number of independent votes, he would be glad to know what chance the hon. gentleman conceived he had of being re-

turned, if one vote, in the borough of Brechin for instance, were doubtful for the space of 24 hours only. He believed the hon. gentleman would conceive his election to be very much a matter of question.

Mr. *Hume* denied that he had charged the magistrates of Aberdeen with corruption, or attempted to cast the slightest imputation upon their character. All he had said with respect to these gentlemen was founded upon a letter written by one of them to his noble friend, in which letter the writer went the length of stating, that under the present corrupt administration of the burgh alluded to, it was impossible for any man concerned in that administration to act any other than a knavish part.

Sir *R. Fergusson* conceived, that the hon. gentleman (Mr. Forbes) had unjustly characterized the speech of his hon. friend who had never said that the burgh of Aberdeen was bankrupt, but had contended, that it was so far bankrupt as to have given up its property to trustees. The noble lord (Binning) had said, in answer to the speech of the noble mover, "Wait, gentlemen, for God's sake, for the bill of the Lord Advocate; see what that will do." Now, he, for one, could not wait, and he would tell the House why. That learned lord seemed to propose to take no notice of the greatest evil complained of; namely, self-election. Unless they did away with that, the House would do nothing. The noble lord was so horrified at the mere sound of "reform," that he exclaimed, "Good God! how can people talk of reform in these days, and thereby endanger the constitution?—Two noble lords opposite had lately expressed their great admiration of old parchments and charters; if they were so fond of these documents, he wished they would look a little to the old declarations made by former members of parliament, who had protested that they felt it to be their bounden duty to listen to the complaints of the people. If, instead of searching into old parchments and charters, those noble lords would attentively examine the Journals of the House, he thought they would employ their time much better.

Mr. *Maberly* conceived that a fair statement had not been made to the House of the affairs of the burgh of Aberdeen. He had reason to know that the burgh was once nearly approaching a state of bankruptcy; but by good management its affairs had been re-established. He certainly considered that, of the burgesses of the Scotch burghs, ninety-nine out of every hundred were in favour of reform.

Lord *A. Hamilton*, in reply, contended, that by receiving the report the House had, in effect admitted the allegations of the petitioners to be true; and he was naturally induced to suppose they would either devise some remedy for the alleged evils, or grant a committee to inquire into the best means to be adopted for their removal: but they had done neither the one thing nor the other. What he now asked was, not that they should pledge themselves to any specific measure of relief; but that, having admitted the truth of the facts stated by the petitioners, they would grant them a committee for the purpose of considering their case. The opponents of the motion had mixed up with it the general question of parliamentary reform, with which it had no connexion. This was in itself a proof of the weakness of their cause. The learned lord opposite was pleased to say, that there were other burghs in which similar abuses were stated to exist. If the learned lord could show one half the grievances in those burghs which he had shown to prevail in the royal burghs, he would agree with him in any measure which might be productive of their correction. The learned lord had also stated, that the gaols of the burgh of Hamilton were in a most inefficient state. He believed it was so, as well as most of the gaols in Scotland; and having sat on the committee which inquired into those matters, he could state that it was found to be owing to the scandalous misuse of the funds. The learned lord had said there was no corruption in those burghs. Now, he had made no charge of peculation; but he would say, that the magistrates of Aberdeen had sanctioned the representation of their debt at 6000*l.* although it was proved to be 130,000*l.* Was that, or was it not corruption? The noble lord then entered into a defence of his conduct in the committee and concluded by appealing to the sense of the House, whether, after the lapse of three sessions, they could adopt the recommendation of the reports of three several committees, or content themselves with adopting the bill of the learned lord, which merely gave the burgesses of those royal burghs the power of entailing on

themselves a law suit with their magistrates?

The House divided: Ayes 46. Noes 81.

List of the Minority.

Abercromby, hon. J.	Langston, J. H.
Barrett, S. B. M.	Lockhart, W. E.
Bury, lord	Maberly, J.
Brougham, Henry	Maberly, jun.
Chaloner, R.	Maxwell, J.
Chamberlayne, W.	Monck, J. B.
Claughton, T.	Newman, R. W.
Crespigny, sir W.	Normanby, lord
Creevey, Thos.	O'Callaghan, col.
Davies, colonel	Price, Robert
Denison, W. J.	Rice, S.
Denman, T.	Robarts, Geo.
Dundas, T. H.	Robinson, sir G.
Ellice, Ed.	Scarlett, J.
Ebrington, visc.	Smith, W.
Fergusson, sir R.	Webb, colonel
Fitzgerald, lord W.	Williams, W.
Guise, sir W.	Wilson, sir Robert
Heathcote, J. G.	Wood, alderman
Heron, sir Robt.	Wyvill, M.
Honywood, W. P.	
Hutchinson, hon. H.	TELLERS.
Hume, Joseph	
James, W.	Hamilton, lord A.
Johnson, col.	Kennedy, T. F.
Lambton, J. G.	

HOUSE OF LORDS,

Thursday, Feb. 21.

AGRICULTURAL DISTRESS.] Earl *Stanhope* said, he held in his hand a petition from 1,100 owners and occupiers of land in Kent, complaining of Agricultural distress. The petitioners considered the distress the more to be regretted, as it appeared to them that it did not result from temporary causes; and they complained that nothing had been done by parliament for their relief. They were convinced that their distress did not proceed from over production. They regarded over taxation as the real cause; and were further of opinion, that the pressure of that taxation was greatly aggravated by the alteration which had been made in the value of the currency. The distress had been attributed to foreign importations; but it was to him utterly incredible, that the reduction of price produced by any importation could be felt through a series of years. He could form some idea of this being the cause where the depression was confined to corn only; but it was well known that cattle and all other articles of agricultural produce were affected. He should be glad to know whether it could be said that foreign cattle had been imported. [The earl of Liverpool said across the table, "No; they cannot by law."] This, then, was one reason more for doubting the effect attributed to importation. The noble earl opposite regarded a great increase of production in one year, as the main cause of the distress; but this was surely the first time in the history of this country, that anybody had thought of making abundance a subject of regret. The real cause was one much more natural, but one which ministers found it far more difficult to remove; namely, excessive taxation. It would become those who asserted that taxation was not the cause, to explain how it happened that the country was now distressed by prices of agricultural produce, which were not lower than the prices of 1792. What was the real cause of the different state of the country then and now, it required no tedious research to discover. The same objects of expenditure which then required only 15 or 16 millions of taxation, now required 56 millions. One of those great luminaries of political economy, who were considered as oracles, had lately asked in another place, how it was possible that taxation could cause low prices? Now it was possible that the wonder of this economist would cease, if he reflected, that the farmer was often obliged to sell at an unfavourable moment, to pay the heavy burthens imposed upon him. In this way it would appear, that taxation had some effect in producing low prices, as well as rendering it more difficult for the farmer to carry on his cultivation. The only cure for the distress was a reduction of the public expenditure including the interest of the debt in proportion to the rate in which the value of the currency had been increased. The depreciation during the war, when loans were made was generally estimated at not less than 30 per cent. Some persons made it 50 per cent; but to whatever extent it went to diminish the interest of the national debt, in the same proportion would be no breach of public faith; and some measure of that kind was indispensable. But it was not the public debt alone which ought to be taken into consideration; for all contracts had been affected by the alteration of the currency. This was a matter which required redress; for what could be more unjust than to call upon a person

to pay in one currency a debt which he had contracted in another? He must contend, in common with the petitioners, that at no distant date it would be found impracticable to collect the taxes. The *ultimum supplicium* would then be inflicted on the cultivators of the soil: for their corn and cattle would be taken from them in discharge of the heavy burthens under which they labour. In addition to the great remedy of reduction, he thought it would be advisable to take into consideration the effect of certain municipal regulations respecting the sale of corn which were in use on the continent, and were alluded to in the petition. The resumption of cash payments, without proper precautionary measures, was fraught with great danger to the country. If the execution of that measure was forced on without any means being adopted to guard against its natural consequences, he could contemplate nothing short of a national bankruptcy. He conjured their lordships to look at the state of Ireland. In justice to themselves, in justice to the people for whom they legislated, he called upon them to avert the ruin that threatened them. They stood now on the brink of a precipice, and could not advance without destruction, nor draw back without difficulty.—The noble earl handed the petition to the clerk for the purpose of its being read; but on examination, it was discovered that there were no signatures on the first sheet. It was consequently rejected on account of this informality.

HOUSE OF COMMONS,

Thursday, Feb. 21.

AGRICULTURAL DISTRESS.] Mr. *Denison* said, he held in his hand a Petition from the freeholders of the county of Surrey, complaining of the impoverished state of the Agricultural interest. The petition was proposed at one of the most respectable meetings ever held in that county, and was carried almost unanimously. The petitioners, in respectful language, stated the deep distress, amounting, almost to pauperism, in which the county, and more particularly the agricultural interest was involved. They attributed that distress to the wasteful expenditure of the public money, which they conceived to arise, in a great degree, from the want of a proper representation of the people in that House. The petitioners farther prayed for a repeal of the taxes on malt, salt, soap, candles, and tallow; and declared that they would never cease, by every legal means in their power, to strive to obtain a constitutional reform in the House of Commons.

Mr. *Ramsden* said, he had little doubt as to the degree of distress which pervaded the country. What the farmers would say, when they heard of the relief which the noble marquis offered to the country on Friday last, he knew not. He was convinced that the plan would afford no relief; and thought that the shilling per bushel on malt, had better have been kept in the hands of ministers than sent out to insult the country. He wished the gentlemen opposite to keep their places; but he thought it was their duty to manifest some sympathy towards a suffering country: and he must say, that he could not support any set of ministers, unless they greatly lessened the expenditure, and agreed to such a reform in the House of Commons, as would ensure amongst its members a sympathy with the distresses of the country at large.

Ordered to lie on the table.

RESOLUTION ON THE PLAN PROPOSED FOR THE RELIEF OF THE COUNTRY.] Lord *Althorp* said, he felt it necessary to explain why he considered it desirable that some question should be brought before the House upon the subject of the noble marquis's plan. When the noble lord first brought forward his proposition, it was extremely difficult to know whether the House could, on any particular day, come to a direct vote of approbation or disapprobation upon that plan. He, therefore, conceiving it essential to give a distinct opinion upon that proposition, took the first opportunity of giving the notice in pursuance of which he now addressed the House. He was aware that, if it were merely argued whether the plan proposed was satisfactory or not, his observations would be brought within a very narrow compass. But he felt himself, in fairness, called upon to state his own views of the policy which ought to be adopted in the present distressed state of the country. In giving those views, he found himself unequal to the details which belonged to the subject, but he would compress his observations within as short a limit as he could. The first consideration which presented itself

was, that the noble marquis appeared to entertain a different view of the effect of taxation from what had hitherto prevailed. Before this session, he should not have thought it necessary to argue that taxation contributed to produce distress. In 1792, the prices of agricultural produce had been the same as they were now. Yet in 1792, there had been no distress. There was, therefore, no mode of accounting for the distress which was now felt, but by ascribing it to excessive taxation. The value of money, real and nominal, was the same. The only difference between the two periods was the enormous load of taxation which now pressed down the industry of the country. The noble lord had said, that one-seventh was the proportion of the taxes to the landlord's rent which a farmer paid. He had taken it at one-fifth. But what data the noble lord had rested his calculation upon, he was quite at a loss to understand. When it was considered that it was not the direct taxes alone which were to be taken into account, but also the indirect taxes; and when it was considered that it was almost impossible to ascertain fully the amount of the indirect taxes, it could not be conceived, that the noble lord's calculation was correct. It was not merely the effect of direct taxation which pressed upon agriculture with peculiar severity. The price of labour was raised by the taxes on the necessaries of life. In manufactures manual labour and skill were combined; and by means of both, manufacturers obtained not only the necessaries, but many of the luxuries of life. If they were taxed too heavily, they could reduce the articles of luxury which they consumed. But whatever increase of burthen was imposed on the labourer, must be made up in the price of labour. Now, whatever increase was made in the price of labour affected all the articles of agricultural produce whether taxed or not. They were rendered more expensive to the grower, by means of this indirect operation of taxes upon the price of labour. In this sort of statement it was very difficult for him to make himself clearly understood. it required much greater practice and knowledge of political economy than he possessed, to make such statements sufficiently clear and intelligible. He would, however affirm, that taxation was the real cause of the distressed state of agriculture. But if it was one of the main causes, the proper and wise course was, to diminish the price of labour by reducing taxes, and not to raise the price of produce. To attempt to raise the price of produce would be utterly unavailing. The only wise course was to relieve labour by such a reduction in the establishments and general expenditure of the country as would enable parliament to reduce the taxes to an effectual extent. The noble lord had stated, that there was a surplus of 5,000,000*l*. His own (lord A's) view certainly was, to take off taxation to that amount. It was very important, at the same time, that they should not leave the amount so short as that there would be only a sufficient sum for the supplies of the year. But he would show the House, if they took from them the 5,000,000*l*., how ministers would be able to find means of preventing such a failure in the revenue. For this purpose he would compare the expenditure for the present year, as given by the noble lord, with that of 1792. It had been said, that it was not fair to take the year 1792 for the standard, as Mr. Pitt had been then reducing to an extreme degree. He knew not what the views of Mr. Pitt might have been; but he was sure that reduction ought now to be carried as far, if not farther. He was aware that it was impossible to reduce quite to the amount of 1792. In making the comparison, he therefore felt himself called upon to make an allowance for the difference in the rate of expenses in our establishments. This difference was chiefly in our military establishments. In 1792, the charge for the army was 2,310,339*l*. The increase of pay, calculated for the same number of men as in 1792, was 744,329*l*. The amount of half-pay was 2,360,568*l*. The total, then, of the expenses for the army, by the standard of 1792, after making allowances for the increase of pay, and for the amount of half-pay, was 5,415,236*l*. At present the army cost 7,748,346*l*. Here, then, was an increase of 2,333,110*l*. He would not enter into details to show how this sum might be reduced. When the army estimates should be before the House would be the time for going into details. Some reduction would undoubtedly be made in this sum, if ministers should be deprived of the surplus which they now had. They would find means of reducing so enormous an army, as they now pretended to be necessary. The colonies were said to require a large military establishment; and it had been

always urged, that the increase of our colonies required an increase of our forces. The colonies might be considered as contributing either to our commercial wealth, or to our military strength. He believed it was admitted that they did not add to our commercial wealth, and that it was only in a military view that they increased our power. Our commerce had been kept as high without our colonial relations as it could be now. But if the colonies increased our strength, then there ought to be a reduction of the forces which might otherwise be necessary, and not an increase.

In 1792, the navy was 1,985,483*l.* The half-pay at present was 1,045,822*l.* Total, 3,031,305*l.* The navy, as now estimated was 5,500,000*l.* The increase was 2,468,695*l.* Here, again, he called upon the House to examine and reduce; and he repeated, that if ministers should be compelled to reduce the taxes, they would, as on former occasions, find means of creating the same surplus by reducing the expenses. In the number of dock-yards there was great room for reduction. The dock-yards at Chatham, Portsmouth, and Plymouth, were sufficient for all the service. The other dock-yards were unnecessary. That at Sheerness was so much money thrown away. It was in a most inconvenient situation. If the enemy's fleet should have the command of that part of the sea, Sheerness would be exposed to attack. It might have been formerly necessary, on account of the difficulty of communication between the sea and Chatham, but now that difficulty was removed by means of steam-vessels.

In 1792, the ordnance was 444,800*l.* The half-pay of the present year was 355,930*l.* Total, 800,730*l.* The ordnance now was 1,200,000*l.* Increase, 399,270*l.* Thus, then, as compared with 1792, the increase was, in the Army 2,333,110*l.* Navy, 2,468,695*l.* Ordnance, 399,270*l.* Total increase 5,201,075*l.* In the civil list a great reduction might also be made. He had attempted to detail the differences under this head as compared with 1792, but to him, who was unaccustomed to these calculations, the state of the accounts was quite inexplicable. He would, therefore, state the sums total for the two periods. In 1792 it was 2,172,242*l.* This year it was 2,741,076*l.* Increase 568,834*l.* The whole increase, then, beyond 1792, was 5,769,909*l.* If ministers chose, therefore, they could make a reduction to a considerable amount. In such an enormous increase since 1792, it was impossible that there could be any danger of the failure of public credit. If there were any prospect of such a danger, it could be at once averted by this reduction. The question, then, was, which was more advantageous to the country, to employ the 5,000,000*l.* as ministers proposed, or to employ them for the reduction of taxes? The noble marquis proposed to employ this sum at simple interest for the reduction of the debt. To talk of reducing the debt by such a sum was out of the question. It could only, therefore, be applied to the raising of the funds. He was bound to believe, by the results laid before him that it might have that effect. But when he considered how little effect was produced by enormous sums so applied, he could not conceive that so small a sum would have any beneficial effect. Last year 260,000,000*l.* were employed in the transfer of stock. That was, 1,200,000*l.* a day, or 4,800,000*l.* a week, were employed in the transfer of stock to produce the effect which was then produced in raising the funds. Now, he could not conceive that an addition of one-fiftieth could have any effect in raising the funds. But the sinking fund had been nothing at all, when the funds had risen from 58 to their present price: 5,000,000*l.* could not, therefore, make a great difference. But admitting that it might have the effect supposed, that the 5 per cents could be reduced to 4 by its operation, then the plan was to reduce 1,500,000*l.* this year; next year, 1,000,000*l.* more; and 500,000*l.* yearly, afterwards. By this means 5,000,000*l.* would be reduced in seven years. The question then was, whether that reduction ought not to be made at once, rather than after so long a period. The country was threatened with ruin: every man engaged in agriculture felt the sure approach of bankruptcy. When this was the situation of the country, he could not conceive any greater perversion of sound policy than to resist the means of affording immediate and effectual relief. The five millions were said to be so sacred a sum that it could not be touched: but the negotiation was not concluded with the holders of 5 per cents; yet it appeared, that the malt tax was to be immediately reduced. If, therefore, the negotiation should fail, the amount of the reduction must be taken out of this

sacred sum. But, as he understood the question now before the House, it was—whether they would take the benefit of relief immediately, or defer that advantage to a period more remote?—whether they could not find a better mode of using the 5,000,000*l.* now at their disposal, than by employing it so artificially upon the public funds. Let the funds be left to themselves, and they would naturally rise, as the prosperity and wealth of the country increased—rise by the operation of their own tendency, without the assistance of artificial means. It could not be doubted that the 5,000,000*l.* of surplus returned at once into the pockets of the people, and there employed as productive capital, would cause a much greater addition to the means of the country, than could be expected from its employment in the re-purchasing of debt.

Having now stated his view of the subject to the House, he should conclude by submitting a simple proposition, calling for the approval or disapproval by parliament of the plan suggested by the noble lord opposite. His own opinion would certainly be, that the full sum of 5,000,000*l.* should be applied to the reduction of taxes; but before he offered any plan of his own, he wished to know if that proposed by ministers was satisfactory; for if it was so, it would be in vain for him to go further. Now, he felt that the motion which he was about to submit would be open to defeat, from technical objections. It might be urged, if strictness were insisted upon, that there was as yet no proposition before the House. He did not think, however, that the gentlemen on the other side would take advantage of this irregularity; and if they did, he should be almost as well pleased to lose his motion upon such a ground, as he could be with the most perfect success upon its merits. Having premised these observations, he would hand to the Speaker such a motion as should enable the country gentlemen to declare unequivocally, whether they did or did not approve of the system proposed by the noble lord. It was for them to consider how far the depression of agriculture would be aided by an immediate reduction of one shilling a bushel upon malt; and whether the prospect of a reduction in taxes to the extent of 500,000*l.* a-year was sufficient to disburthen the heavily suffering country. The noble lord then moved, "That it is the opinion of this House, that the Reduction in the amount of Taxation proposed by his majesty's ministers is not sufficient to satisfy the just expectations of the people."

Mr. *Robinson* said, that whatever he might think of the course suggested by the noble lord, he was bound to do justice to the motive which actuated him, and to the manner in which he had brought his proposition before the House; and nothing could be more inconsistent with the duty of ministers, than to blink the fair question by a technical objection. If such a course would be contrary to the duty and to the dignity of his majesty's ministers, so was it contrary to their intention. Ministers thought that the House ought to have the question directly before it: all they asked for was the decision of the House, and they thanked the noble lord for giving them an opportunity to obtain it. Now, in looking at the plan which the noble lord had suggested to the House, and in contrasting it with that proposed by ministers, it was material that the House should sedulously keep in mind the circumstances under which it discussed the question in point. Because the question before the House was, not whether there should be a reduction, or no reduction, of taxes—not whether the House should now immediately proceed to commence a reduction of the taxes; but whether it would be wiser to carry the extent of that reduction to the full amount of the surplus of income over expenditure, or to endeavour to combine the maintenance and integrity of that surplus with a gradual progressive reduction of taxes? Now this was the first time for nearly forty years, that the House had been in a condition to discuss what it would be best to do with an actual, undisputed surplus of revenue; and the country ought to look, even upon the noble lord's view of the case, at the circumstances by which that surplus had been produced. The circumstances to which that surplus was attributable were, the reduction of expenditure and the improvement of revenue. He did not think it necessary at present to follow the noble lord through the particular details to which he had referred, but he would say this, that even if the noble lord and those about him could satisfy parliament that the reduction effected by ministers was insufficient—that there were farther objects to which that reduction might apply—and that its in-

creased application would produce an increased amount of surplus; even that proof, in his opinion, would only form an additional reason for supporting the sinking fund. He was ready to admit, that, in proportion as expenditure was to be reduced, taxation could be abated; but the noble lord's plan went to invert that course: it said—"devote your actual surplus to reduction, and let the sinking fund take its chance upon any savings you can make." He (Mr. R.) said, on the contrary, "maintain the integrity of the sinking fund, and uphold, at all events, public credit; if you can reduce expenditure farther, do reduce it; and when you have effected your reduction, apply its proceeds in the diminution of the taxes." This was not a question as to whether the existing reduction was sufficient or not, but as to what should be done with the reduction, sufficient or insufficient. He would leave the detail of existing reductions to be discussed by the House at some fitter opportunity; but he felt bound to declare, on the part of his majesty's ministers, that they had proposed the resolution passed at the close of the last session, with the most determined intention of acting, not only up to its letter, but up to its spirit: at the same time it would be remembered, that ministers had something more to do than merely to look at forms of reduction, and extents to which such reduction might be carried; it was their duty to consider not only what measure of reduction was desirable for present relief, but what measures might be adopted with safety to the future prospects of the country. He knew that the argument on which he was relying laid him open to imputations which had been cast upon government; but he was sure that no man who looked fairly and honestly at the situation of the country, would deny that, in the reduction of its establishments, on which its safety depended, it was the duty of ministers to see that those establishments remained sufficient for their purpose. If it was found, therefore, that government had not adopted every reduction which the noble lord opposite would recommend, and that, in the reduction of the military force, care had been taken not to leave our extended possessions without reasonable and moderate protection, the house would have the candour to believe, that the numerical amount of that force had been reduced as far as, in the view of ministers, prudence would permit. Again, if ministers had not at once consented to give up the improvements realized in the naval arsenals of England, they might claim some credit from the house for having looked with a just anxiety to the maintenance of her naval supremacy. Their suffering that supremacy, for a small saving, to decay, might have been called just and reasonable economy by some, and unwise and sordid parsimony by others; but it would certainly have placed the country in such a situation as the noble lord himself would have been inclined to regret, and as would have deservedly exposed the king's ministers to the indignation of the present age and the contempt of posterity. Upon these grounds it was, that he claimed from the House a hearing of the reasons which ministers would bring forward to justify what they had done. And now he came to the second working cause of the existing excess of revenue. The noble lord opposite said that the country was ruined. He was as ready as any man to admit the distress which existed, and was bound, in common with every man of feeling, to deplore the present state of the agricultural interest; still, he could not consider the country as in a state of ruin. He looked at the question, not with reference to any one particular interest, but with reference to the general condition of the country; and no person who looked at it in that general way could assent to the sweeping proposition of the noble lord. Why, the very admitted excess of revenue was a plain proof of the contrary. Whenever ministers had stated an excess of revenue to the House, it had been the custom to ascribe it to some transitory cause—the operation of some particular change, or the effect of some sudden speculation; but it was impossible now to say that the increase of revenue was unsubstantial. The excess of our revenue extended through all its branches; there was scarcely one to which it did not apply. It existed not only as to those items connected with the higher comforts of the people, but to every point connected with our foreign trade. Could that increase of revenue have arisen unless there had been an increased consumption in the country? Could there be increase of consumption without increase of means? And could that fact be in any way accounted for, unless by admitting an increased ease in the general circumstances of the country?—He reverted, then, to that which he had said in the outset of his

address. The country stood in this peculiar situation, having an admitted surplus of revenue over expenditure; and the House was contending, not whether taxes should or should not be reduced, but as to the mode and degree in which that reduction should be effected. It was impossible that government, in looking at that question, should not, at the first blush, have directed their attention to the form and substance of that plan now brought forward by the noble lord opposite. So obvious a reduction as a cutting off of 5,000,000*l.* could not have failed to be a very palatable act; and if ministers had been disposed to consult popularity, or take means to establish themselves almost perpetually in power, there was no course more likely to obtain that end than to come at once to the House with the noble lord's proposition. But ministers felt it their duty to ascertain, as far as they could, what course of policy might, in the abstract, be most fit; and how they could best apply that abstract principle in practice. They felt the advantage which would result from the taking off 5,000,000*l.* of taxation: but it was their duty to look at the consequences as well as the immediate advantage, and to see whether the certain prospective evil did not overbalance the present relief. Now he thought that the future evils of the noble lord's measure did overbalance its immediate advantage. He thought that the systematic and avowed destruction of the sinking fund would be the most unwise—he might say the most fatal—measure of finance that had ever been attempted to be acted upon in this country. All the greatest men who had treated upon the subject had never differed as to the abstract value of the plan of the sinking fund. He granted, that during the last forty years, while we had reduced our debt with one hand, we had increased it with the other. That fact he completely understood and appreciated; but he could not understand upon what could be rested the indifference with which the noble lord opposite treated the abstract good of an actual surplus of 5,000,000*l.* annually. The noble lord seemed to consider the sinking fund as operative only to raise the price of stocks. He asked what could be the effect of buying 30,000,000*l.* in the course of six years? Numerically speaking, a purchase of 30,000,000*l.* was little; but the application of such a sum to the reduction of the national debt, had an effect beyond the mere reduction of that debt, in the security which it gave to the numerous persons whose interests were involved in that immense mass of property; and even that ulterior effect would not be deemed a matter of slight importance by the House. The noble lord admitted, too, that he was not sustained in his views upon that particular point; he candidly stated that practical men who had interest in the public funds looked at the matter in a different light; and he (Mr. R.) put it to the House whether their proceeding, with the very first surplus they could command, to avow their abandonment of the sinking fund, would not have the effect of diminishing public credit. He declared, for his own part, that he could imagine no device more calculated to scatter dismay and terror through the great body of fundholders. There were other circumstances which induced him to look at the scheme with a very jealous eye: he thought that it was the forerunner, and only the forerunner, of a far more desperate attack upon the funds. [Cries of "No, no."] He thought that it was so, and he would tell the House why. The House had been told upon a former evening, in rather mysterious, but in very significant terms, that they must reduce the sinking fund now, because they could no longer afford to maintain it: an hon. and learned member had said with much energy, "I will not answer for it that even reduction will give the necessary relief;" and if it did not, then was to come the *sæva necessitas*, the *ultimum supplicium*, which the hon. gentleman would be the last man to recommend, but which, he feared, must of necessity ensue. The tendency of the destruction of the sinking fund would be to unhinge public credit; and the embarrassment which would result from that impolitic proceeding would aggravate the present difficulties of the country, rendering less effective that actual relief which the hon. gentleman on the other side proposed from the reduction of taxation. And he did repeat that the destruction of the sinking fund would be, in his opinion, but the forerunner of a more desperate and fatal attack upon that species of property. He knew that there were a great many persons in the country who looked at the national debt with a very jealous and suspicious eye. He could not support the debt as a positive good, but his opinion of its justice was of a very different nature. People were in many cases prejudiced

against the fundholder; they figured him to themselves as some great proprietor, swollen, overgrown, and revelling in luxurious profligacy, or hoarding his exactions with unfeeling avarice. He did believe that those erroneous views were pretty generally entertained by the people of England; but it was the duty of the House to judge without prejudice; and to consider for themselves of what class of persons the stockholders of the present day were chiefly composed. How many thousands of them, by how far the greater part of them, were individuals whose all was entered in the funds? He said "their all"—the savings of their honesty and their laborious industry. He could not contemplate any measure, even far less dangerous to them than that which the hon. and learned member had hinted at, without deep and serious sorrow. He had not that "*robur et æs triplex circa pectus*" which would enable him to look upon their sufferings with equanimity. And here let him request the attention of the House for one moment. He would simply contrast the plan of the noble lord opposite with the plan which had been submitted to parliament by ministers. The plan of the noble lord proceeded upon a supposition, that the reduction of taxation to the full amount of the 5,000,000*l.* would not affect public credit, and so, at least, be unaccompanied with evil. He (Mr. R.) believed sincerely that it would produce every one of the evils to which he had but now been alluding; but he would say this of the plan proposed by his majesty's ministers, that it contained two acting principles of unqualified good:—the sinking fund was certainly a good as to its abstract principle; and a second good would result from the reduction of taxes consequent upon the system. While the proposal of the noble lord opposite was not free from heavy doubts as to any good that it could effect, the proposition of government had a double operation, and the advantages to arise from it were clear, distinct, and unqualified; and he, therefore, did hope that the House would reject the noble lord's suggestion, and adopt the course recommended by ministers, feeling that ministers had been guided in that recommendation only by a desire to take advantage of the present state of the revenue, for the purpose of serving the best interests of the state. Once more he thanked the noble lord opposite, for having put the question broadly before the House. His only wish was, to have the point decided; and he did, if he might so express himself without presumption, confidently throw government upon the House, and upon the people. He appealed to the House with perfect reliance, because he did not think that ministers had done any thing to forfeit that confidence which parliament had, for so long a series of years, been accustomed to repose in them. [A laugh.] Gentlemen might laugh, but unless ministers could appeal to the favourable opinion of the House, he did not know in what way they could urge any claim to attention. But he would not be satisfied with an appeal to the House, he would go farther, and appeal to the people, because he knew them to be the most just and generous people in the world. He knew that when they were suffering the pressure of distress, they would look, and naturally, to parliament for relief; and that sometimes when relief could not be given, they were equally active in attributing to parliament the distress under which they laboured. He knew that the people of England would do this, and he did not blame them for it; but although the people might occasionally be angry, it was not in their character to be permanently unjust:—"They carried anger as the flint bears fire, which, much enforced, might show a hasty spark, but straight was cold again." Feeling, therefore, that the principles upon which ministers had acted had never been selfish or personal, but the result of anxiety for the permanent welfare of the country, he doubted not that the people would, as parliament had done already, do justice to the motives by which the government had been guided; and he should sit down by submitting two resolutions to the House, in the way of amendment to the resolution of the noble lord;—viz: "1. That it appears to this House, that the net excess of revenue above the expenditure of United Kingdom may be estimated, for the year ending the 5th of January 1823, at 5,260,000*l.*, exceeding by 260,000*l.* the amount of the clear surplus which this House, by its resolution of the 8th of June 1819, deemed it expedient to provide for the progressive reduction of the national debt, and the adequate support of public credit. 2. That this House sees with satisfaction that by the operation of this surplus, connected with a reduction of the interest on the 5 per cent. stock, a diminution

of taxes may be immediately effected, thereby affording to the people within the current year, the first advantages of that relief from a part of their present burthens, which was held out to the country in the resolution aforesaid, as one of the beneficial effects to be derived from the application of a surplus of five millions, to the reduction of the national debt."

Lord *John Russell* said, he gave credit to the right hon. member for the way in which he had met the proposition of his noble friend, and was pleased that the right hon. gentleman had moved his own resolutions instead of merely proposing to negative the motion of the noble lord. He could not help thinking, however, that many parts of the right hon. member's speech might have been spared without prejudice to the cause which he attempted to sustain. Amazing stress was laid upon the fact, that the House was now, for the first time these forty years, discussing the disposal of a real surplus revenue. What! after hearing for ever of the wonderful effects of Mr. Pitt's sinking fund, were they to rejoice because they now found, for the first time, that they had any sinking fund whatever? Why, parliament had voted the existence of a surplus in 1819. It was now, he believed, generally allowed, that Mr. Pitt's expectations as to the efficacy of a sinking fund were so extravagant as to amount pretty nearly to a delusion. During the war, at all events, according to Dr. Hamilton, the fund was an additional expense of 30,000,000*l.* to the country. Although a sinking fund, operating by compound interest, might perhaps do something towards diminishing the public debt, it would be found impossible for any minister to continue such a fund. The people would continually be calling for reduction of taxes, and they would compel him to employ his means upon that immediate object. So well, indeed, was that truth understood and admitted, that the present ministers had never attempted to revive the system of compound interest. Even now, when they proposed to bring their fund to bear, they did not contemplate the carrying it to that extent. But if the House looked at the history of the sinking fund during the course of the last century, they would find that, in an interval of about fifty-four years of peace and forty-six of war, the public debt had increased to more than 800,000,000*l.*; and they would judge how far a sinking fund of 5,000,000*l.* at simple interest, was likely to operate towards its extinction. Suppose, however, the object of the fund to be less the extinction of the public debt, than the production of an effect upon the public funds, he thought its probable effect even in that way exaggerated, and believed that the state of the funds would depend rather upon the interest of the money in the country, the profits of trade, and the general wealth of the community, than upon any purchases which the sinking fund would produce. But the right hon. gentleman had quoted the resolution of parliament in the year 1819. That resolution had been read, as a solemn pledge from the House to maintain inviolable the particular sum therein mentioned; but surely the public creditor could not place much reliance upon a fund which had been voted in the year 1819, but which until the year 1822 had never come into operation. Certainly, upon such a fund very little faith could be placed. A cry was attempted to be raised against an hon. and learned gentleman for what he had said as to the management of the national debt: he (lord John) was ready to concur in any measure for providing such a surplus as should ensure to the public creditor the punctual payment of the interest of his debt: he was an advocate for the maintenance of public faith; but how had the chancellor of the exchequer kept faith with that portion of the public consigned to his care? A letter had appeared some time back in the Courier newspaper, from a person signing himself "A Landowner of 20,000*l.* a year." This land-owner stated, that having some years back mortgaged his estate to the amount of 12,000*l.* a year, his real income was then reduced to 8,000*l.* a year. He now found himself compelled, by the altered value of money, to reduce 40 per cent upon the rental of his property; and the consequence was, that instead of having 8,000*l.* a year, he received absolutely nothing. Now, in order to show how the public faith had been pledged to that man, and how it had been kept, he would refer the House to the resolution of May 13, 1811, that a pound note and a shilling were equal in value to a guinea in gold. Of the fallacy of that position the House had since had ample experience.—He would now advert to a question which seemed to have been left wholly out of consideration, in the speeches of gentlemen on the other side

of the House—he meant our present enormous civil expenditure. To show the vast increase under that head, he would briefly compare the expenses of the civil list in the years 1792 and 1821. In 1792, the whole amount of the civil list was 898,000*l*. In 1821 it was 1,027,000*l*. In the former year, the pensions amounted to 134,000*l*.; in 1821, they were 434,000*l*. Salaries, in 1792 (charged on the civil list), were 25.000*l*.; in 1821, they were 72,000*l*. Taken altogether, the civil expenditure, and other permanent charges, amounted, in 1792, to 1,111,000*l*.; in 1821, they amounted to 2,040,000*l*. excluding 2,000*l*. for bounties, and making, thus, double the amount of the charge in 1792. He admitted, that the charge of the civil list of Ireland was not included in 1792; but even considering that, the increase was out of all proportion, and ought to be revised. Besides this enormous amount of the civil list, there were other expenses in which a considerable reduction might easily be made. He owned that the recent determination of the Spanish government not to send ambassadors to foreign courts, struck him as an excellent plan of economical reform, and one which he should wish to see followed, in a great degree, in this country. He thought that, except, perhaps, at the court of France, where it might be necessary to continue an ambassador, this country would do well to reduce the establishment; and was satisfied that our affairs at other courts would be equally well attended to by ministers plenipotentiary, as by the more expensive appointments of ambassadors. Perhaps some of the ministers plenipotentiary recently sent out, particularly some of the new appointments, might have been well dispensed with. By such an arrangement, a vast saving would be madé to the country.—He now came, however, to another point—he meant a reduction of taxes, which was a measure absolutely necessary in our present state of suffering and distress. The view which he took of that distress—and the means by which it could be relieved, might be summed up in a few words. The whole of the causes of our difficulties it would be tedious to enumerate; but a principal and immediate one was, that the produce of the land could not now be sold at a remunerating price. The obvious remedy for that would be, that the supply should be reduced to the demand. It might, no doubt, be some time before that could operate as a relief, before the demands of the market were equal to the supply; and if nature were to be allowed to take its course (which some persons hinted at as the only remedy), and to operate the relief, it should be considered that, in the mean time, thousands and thousands of individuals who were now struggling hard with these difficulties would be utterly ruined; that their capital, out of which, and not out of rents, they were striving to meet the demands upon them, would be âbsorbed, their stock and implements lost, and the whole of their grounds thrown out of cultivation. If the farmer endeavoured to reduce the supply to the demand, he must begin by reducing the number of hands employed in labour; the immediate effect of that would be, to throw a great portion of the peasantry out of employment; and when, without work, they would, as paupers, serve only to increase the public burthens. Under the existing system, the peasant was involved in misery, but the farmer was not thereby relieved; his difficulties increased, and became every day more intolerable; he was reduced by degrees in his clothes and in his food, till at last he was forced to become a pauper. This was not an imaginary case: numerous instances had already occurred, of farmers who, not long back, were in the enjoyment of comparative affluence, but who were now wholly dependent for support on parochial relief. When such was the case, and when still greater changes might take place, before the time could arrive at which the market would afford a demand equal to the supply, it was the bounden duty of parliament to do all in their power to afford relief; and this could only be done by a reduction of taxation; because, when his taxes were low, the farmers would be more able to bear up against low prices, than when they were called upon to pay a great portion of those prices in taxation. To him it appeared, that no plan of relief which might be devised would be effectual, but a large reduction of taxes. It was idle to say that heavy taxes were not a cause of distress. There was a manifest absurdity in the assertion. With just as much reason might it be said, that if a carriage broke down with the horses under it, it would be wrong to disengage them from the harness. If such a case occurred, and, as might happen, if the persons who

came to assist were beginning to remove the harness by which the horses were kept down, some philosopher were to come up and say, "Oh, the removal of the harness is not the way to relieve them; they have been thrown down by a stone in the road, or some such cause; but the removal of the harness will do no good."—if such language were addressed to the by-standers, they would, he had no doubt, treat the advice with contempt, and proceed in the only effectual way by taking off the harness. So it was with taxation: it pressed and weighed down the people in every part of the country, and the only way in which they could be effectually assisted was, by a removal of part, at least, of the weight. He would admit that a portion of the present difficulties arose from the alteration in our currency, but these difficulties were not altogether effected by the measure which was commonly called Mr. Peel's bill. They arose partly out of the system adopted since 1813—at one time by way of affording relief, increasing the amount of the currency, and as suddenly contracting it at another. It was truly said by Mr. Hume, that the prosperity of a country did not depend so much upon the quantity of money it contained, as whether that were increased in value. Now, this was the case from 1816 to 1819. The currency, owing to the erroneous system adopted years ago, was very considerably depreciated; and in the attempt to restore it, which was done by limiting the circulation, a great portion of the difficulties now felt were produced. He would state to the House the opinion of a French writer on an attempt of the kind made in France under Louis 14th, in the year 1714. At that time the currency was depreciated 27 per cent, and a plan was adopted of remedying the evil in two years by limiting the currency, as was recently done in this country. The writer to whom he alluded said, with reference to the plan, that though he could not but praise the intention with which the plan was introduced, in order to get rid of a great and crying evil, yet it could not be denied that the proposed remedy had been productive of a still greater evil than that which it sought to remove—that great and general distress followed—that all pecuniary contracts which had been previously made were raised one-third as against the party who had to pay the money; the consequence was, that all debtors had to pay one-third more than what they had originally contracted. The farmer who owed ten marks was obliged to pay fourteen; and so on with all other debts. It was wrong at first to have caused the depreciation. After a lapse of so many years, the remedy proposed came as a death-blow to those who had before been distressed; and, bad as the state of the currency was, it would have been better to have fixed the currency even at its depreciated value, than to have attempted to increase its value by such means. The distress which followed the tampering with the currency was farther increased by that swindling speculation, the Mississippi scheme, which arose out of it. Another writer on the same subject observed, that after the depreciation of the currency, which had produced so much distress, the people were reduced almost to despair by the incessant attempts of the government to draw all the money to themselves. This was aggravated by the dearness of every kind of provisions (for it seemed that a scarcity soon followed), and there was scarcely a proprietor of land who did not see his patrimony waste away from his hands without having any means to prevent it.—Such, was, in his opinion, the case with this country in the present day; and he attributed it to the shifting expedients practised by ministers, who, to serve the purpose of the moment, increased the circulation to a large amount at one time, and withdrew it at another. Let him add, that such fluctuations, and such great depreciations in the currency, were calculated to produce effects as destructive to the welfare of its inhabitants as invasion and conquest by an enemy—as disastrous almost as plague, pestilence, and famine, those scourges so terrible to every nation; and he sincerely hoped that no minister might ever be found who would dare again to resort to such innovations. As a sort of set-off against the distresses produced by the depreciation alluded to, and its recent remedy, the House were told of a great increase in the industry of the country; that manufactures and commerce were advancing rapidly in every part. It would give him sincere pleasure to hear of this, if it were really the case; but he could laugh at the manner in which ministers congratulated themselves and the country on those flourishing appearances, as if they believed, or wished others to believe, that they had produced them.

He was glad to hear that a better state of things was advancing—that the condition of the people was likely to improve. He could wish to see them better governed; that they should not be irritated by attempts to defer the means of relieving them. He felt that, in the course of time, relief would come; but, in the interim, parliament should afford all the assistance in its power. It was no argument against measures of immediate relief to say, that great distress existed some time ago among the manufacturing classes, and that they were now recovered from it. It was true that great distress had existed, and it was found to have gone to such a height, that the manufacturer and artisan were, in many instances, reduced to a state little short of starvation. If that were the case, and the distress had now only changed sides—if the farmer and agricultural labourer were now in the same wretched condition, unable to procure work sufficient for the support of their families (and unfortunately that was in many instances the real state of the case), could that be called a state of prosperity? He called it a state of great suffering and misery, and such a state of the people was a proof of mismanagement on the part of government, and a total neglect of that to which they ought to have attended—he meant the economical expenditure of the public money. In this view of the case, he cordially supported the motion of the noble lord. He was glad to find that some regulation was likely to take place respecting the importation of corn; for even the hon. member for Portarlington did not deny that there ought to be some protecting duty—some measure to protect the farmer against the competition of the foreign grower. He hoped, however, that the measures on this subject would be regulated with an exact regard to the interests of the agricultural, as well as of the commercial and manufacturing classes; for to raise up any one of those classes to prosperity, at the expense and ruin of the other, would be a most unstatesmanlike view of the subject.

Mr. *W. Whitmore* rose, to express his satisfaction at the statement which he had heard from the noble marquis on a former evening, respecting the finances of the country, and to add, that, considering the best interests of the country to depend upon the inviolability of its faith towards the public creditor, he thought that, under all circumstances, every reasonable attempt should be made to reduce that load of debt with which the country was at present charged. If he could agree that taxation was the cause of the distress, he would vote for the motion of the noble lord, nay, he would go farther—he would, if reduction of taxes were not sufficient, propose a composition with the public creditor; but he differed most materially from the noble lord, as he differed from all who asserted that the cause of the distresses of the agriculturist lay in taxation. Ever since he heard that opinion stated, he had endeavoured by every means in his power, to discover the *rationale* of it, but without effect. He could not see how taxes caused low prices He should have thought, that in every case taxation would raise the price, except perhaps in this one instance only, where there was an exorbitant load of taxation, that might reduce prices by driving capital out of the country, and lessening the population, by which of course consumption would be less. If he could agree with the noble lord in the point which he thus disputed, he might join with him in the vote. As to the effect of the change in the currency, he would not then go into any inquiry. It was already shown that it had an effect on the prices, but that it did not produce the lowest price. He was not in the habit of frequently addressing the House, and on the present occasion he felt that he was touching upon a most complicated and difficult subject. He felt it necessary, however, to offer a few remarks upon it. In his opinion, the present distresses arose from a re-action of that extraordinary stimulus which the agriculture had received in the course of the last war. But before he entered upon that point, he wished to lay down a proposition which was necessary in order to clear the way. That proposition was, that in every country which imported and did not export corn, the price had always a tendency to increase. The increase of prices also rose with the increase of population, and with the expenditure of capital on the soil. He would suppose 100*l.* to be expended on ten acres of good land, and that it produced twenty quarters of wheat; the same money expended on inferior land would not produce so much, the price must be increased as the capital expended must be renumerated. The same result would accrue when good land had but inferior cultivation. This would be more evident,

if the House considered what was the case in the first sixty-four years of the last century. During that time we, on the average exported more corn than we imported, and the average price in that time was 32*s.* the quarter; but, after the American war we began to import, and between that time and 1793 the price of the quarter rose to 45*s.* This, then, showed that the tendency to rise went on with the increase of population. That, no doubt, would be lessened in some degree by large importation, but the same principle would still go on. This, however, was a question which was more fit for an essay than a speech. The position which he stated was very ably supported in a pamphlet by Mr. West, which could not be too much known. One result of what he said was, that nothing could be more untrue than the assertion that prices would continue the same as in 1792, seeing, that since then there was an increase of 4,000,000 in the population. But to come to the statement of the cause of the distress. He had shown that there must have been an increased consumption in proportion to the increase of population. Of course, if the home supply was not equal to that increased consumption, some corn must be imported from abroad; but then came difficulties in the way of the importation. According to Mr. Malthus it would be found that with the expense of freight, of merchants commission, and other charges on the importation, wheat could not come into our ports at an early period of the war under 40*s.* the quarter. The consequence of this was, that an extraordinary stimulus was given to the industry and enterprize of the cultivator at home, and agriculture increased in a most rapid manner. This would be clearly proved by the great increase in the number of inclosure bills in the course of the war. In the early part of it, the average of inclosure bills was 41 per annum, while in a later period they amounted to 88 per annum. But it was unnecessary for him to refer to such proofs, he would appeal to the recollection and experience of the landed gentlemen, whether cultivation was not carried on at an enormous and unprecedented expense? Premiums were given, and other great encouragements held out, for the best, not the cheapest, managed farm. The consequence was, that in the course of a few years, the production increased in every way beyond the consumption, and the result of this artificial state of things was what now happened—that we had more than we wanted, and the surplus fell back on the country. The remedy for this evil, and in his mind the only effectual one, was to retrograde from the point of agricultural eminence, which we occupied, and to come to one more suited to the circumstances of our present situation. This change, it was said, would involve the ruin of a great portion of the agricultural classes. He professed he did not think it would be attended with the disastrous effects pointed out by the learned gentleman (Mr. Brougham) or the noble mover. It would be only the removal of the last layer of capital which had been applied to the land—the lessening of that enormous expenditure which was resorted to in cultivation—and the supply would soon accommodate itself to the demand. One instance of the disposition to lay out large sums in the cultivation of the soil he knew: it was that of a gentleman who assured him that in one year alone, the manure for his farm cost him 1,500*l.* Let not capital be so expended in future. It would not of course be productive to the same extent, but it would produce as much as was required. This change would no doubt throw considerable portions of land out of cultivation, but they would be only such as were forced into it during the period when the great stimulus he had noticed operated upon the agriculturist. One effect of retrograding from our high state with respect to agriculture would be, that we could not perhaps grow corn for a time at a remunerating price; and if corn sufficient were not produced we must import again. From the evidence of several most intelligent gentlemen, who were examined before the agricultural committee, it appeared that wheat could not be imported from the Baltic, even without duty, under 60*s.* the quarter; a very small duty would then be sufficient to raise it to 65*s.* here. Then to turn to the state of the farmer: he would say that the landlord must reduce his rents 20 or 30 per cent., and even more where that was not sufficient. He had done so in his own case, and he thought that when lands had been raised to such high rents since 1792, as landlords had received, it was natural that they should reduce them now that circumstances were altered. He possessed land, some of it poor and some of it good; and from his own experience he would say that,

even with the reductions which it might be necessary to make, the state of the landlord would be considerably ameliorated as compared with 1792. It had been amended so much by enclosures and other circumstances, that he felt bound to state that he was not inclined to complain of his situation on account of the reduction of rents. When he reflected on the industrious habits of our population, on the skill of our manufactures, on the energies of our artisans, and even on the state of our agriculture, combined, as the advantages to be derived from them were, with our insular situation, he could not view our general situation in that gloomy light in which many gentlemen were accustomed to regard it. He was persuaded that there was yet elasticity enough in the British character to recover it from the pressure under which it now laboured. It was true the horizon was at present overcast, that dark clouds lowered over it; but he was happy to say that he perceived on their margin a tinge of sunshine, that was neither transient nor illusory, but was the certain harbinger of a bright and glorious day. When he turned his eye from the domestic relations of the nation, to look at its foreign connexions —when he considered its immense possessions in the East Indies, and the increase of trade which they had naturally created—when he reflected on the progress that we were at present making in the Eastern Archipelago, and the commerce which must naturally ensue to us from that quarter—when he examined the golden prospects that had been recently opened to our merchants by the emancipation of South America, he could not sit down in gloomy discontent, nor view our situation as if it were destitute of all hope and consolation. He felt how incompetent he was to explain or describe the condition to which the landed interest was now reduced; but, notwithstanding, he considered it his duty to make the observations which he had made, in order to show hon. gentlemen, that if they would take the trouble of inquiring into their situation, they would not find the question so difficult as they expected; especially if they took this principle as a key to the explanation of it; namely, that the existing distress was but a re-action arising from the extraordinary stimulus given to agriculture during the war. The hon. member sat down amidst loud cheering.

Mr. *Robert Price* observed, that the hon. gentleman who had just sat down had been guilty of one very great fallacy in his speech arising out of his having misstated the arguments which had been used by his opponents. There was not a single individual on the Opposition benches who had said, as the hon. gentleman had stated, that the present low prices of agricultural produce were caused by the weight of taxation. All that they had said was this—that as an extraordinary stimulus, which had now ceased to operate, had been given to agriculture during the war, and as the cessation of it had rendered it necessary to look for some measure whereby the farmer might be enabled to grow his produce cheap, a remission of taxation appeared at once to be the most practicable and the most natural proceeding. He could not avoid thanking his noble friend for having brought the present motion forward, as it would enable the House to determine what policy it would in future pursue. The plan of the noble marquis, though the developement of it had occupied much of their time on a former evening, might be very briefly explained. It consisted in a diminution of expenditure, to the amount of 1,400,000*l.* and a diminution of taxation to nearly the same extent. His noble friend said, that such relief was quite inadequate to the exigencies of the case; and had consequently advised, that still greater reductions should take place, and that the sinking fund should be abandoned for a time. Both these plans were now before the House, and it became its duty to decide which of them was the best. He concurred with his noble friend in thinking, that the only means of affording immediate relief to the country was by diminishing the public expenditure, abandoning the sinking fund, and reducing, to that degree, the pressure of taxation. When he talked of diminishing the public expenditure, he did not allude merely to the diminution of the paltry stipends paid to clerks and other inferior servants of the public; he meant, that every useless place should be abolished, no matter what might be the parliamentary influence of the party who held it, or of any of his near relations. It had been said by certain members of the government, that all further economy was impossible. This declaration, however, coming from the quarter it did, ought to be received with considerable distrust; for what man amongst them did not re-

collect their repeated declarations, during the last session that all farther reductions were impracticable? Their late conduct had proved that some reductions, even from those establishments which they had formerly defended, were practicable; and he had little doubt, that if the House insisted that still farther reductions should be made, government would find means of making them, if not in the army and the navy, at least in the mode of collecting the revenue. With regard to the sinking fund, he was free to confess that it ought not to be lightly abandoned. It was only from the difficulties of the country that he could be induced to abandon the sinking fund. Under other circumstances, he would agree, not merely to the creation of a sinking fund of five millions, but to one of a larger amount. He would state the reasons why he conceived that it would be advantageous to abandon the sinking fund for a time. An idea was prevalent, that the country was no longer able to bear its burthens, and that at length it had become necessary to reduce the interest of the national debt. He had lately presented a petition, in which such an idea formed a prominent part, from that part of the country with which he was himself connected. The petitioners were persons of great respectability: if any body had proposed to them to take one shilling from their private creditors, in the manner that they wished to take it from the public creditor, they would have scouted the proposal with indignation. What then, was the reason why they prayed for a breach of the national engagements? It was to be found in the distress that was raging around them—a distress which they all felt to be excessive, and which many of them declared to be overpowering. It was the duty of parliament to prevent the idea, to which he had just alluded, from taking root in the community; and the best means of doing so would be by diminishing the burthens of their constituents, which would be most easily effected by abandoning the sinking fund for a short period. Great as had been the increase of the debt, still he could not despond, as the resources of the country had increased in as great, if not in a greater proportion; but he did not on that account feel himself bound to oppose the reduction of our expenditure; on the contrary, he felt himself bound to carry that reduction as far as possible, and, therefore, he advised the House to abandon the sinking fund as an immediate relief to the agricultural interest, though not with a view of abandoning it for ever.

Mr. *Wilmot* assured the House, that as the question had been so frequently debated, he would confine himself to the arguments which had been urged that evening, and to which he would advert as shortly as possible. And, first, he would apply himself to the removal of two erroneous statements which had been made in the course of the debate. First, the noble mover and the hon. gentleman who had last spoken, said, that his majesty's ministers attributed the improved condition of the manufacturing interest of the country, to their own measures. Such an assertion had never been made. Secondly, the hon. gentleman who spoke last said, that government declared last session that no further reduction of expenditure could be accomplished. This, too, he positively denied. All that they said was, that the reduction had at that time been carried as far as was consistent with the interests of the country. Now, though he was prepared to contend, that such an assertion on the part of ministers was perfectly correct, he should refrain from doing so at present in order to confine himself more directly to the question before the House. It was true that any member might agree in the necessity of pushing reduction as far as possible; but it did not follow that he would therefore agree in the necessity of abolishing the sinking fund, which was a question at once different in its nature and greater in its importance, since it involved in it the credit and good faith of the country. Now, in considering in what manner a reduction of expenditnre should be effected, the House was bound to consider two things—first, that the reduction should not injure the efficiency of the office so reduced; and, secondly, that if the duties of it should ever increase, and it should become necessary to place the office on its former establishment, it should not occasion a greater expenditure to renew it than had been saved by the proposed reduction. As to the observations which the noble lord had made upon the civil list, he begged leave to remind the House that there were now charged upon it several pensions which had been conferred on deserving individuals for their conduct during the war, and which at the time of conferring them had been approved by parliament. The mention of this circum-

stance, as it explained the reason why the civil list was now higher than it had been at former periods, was a sufficient answer to the noble lord's attack upon it. To say that the large civil list was one cause of our heavy taxation, was a fallacy that deserved exposure; and, to add to that fallacy another, and to say that taxation was the cause of all the existing distress, was to bid the nation look to a remission of taxation as the only means of being relieved from it. He trusted, however, that, as their debates were spread throughout the country, the country would see, that though taxation was a very great evil, still it was its duty to repay to the creditor in time of peace the sums which he had lent to it in time of war upon the strength of the national honour.' The House, however, was asked to accede to a remission of taxation, on the ground that the sinking fund was a fallacy. Now, it appeared to him, that the writer who had been quoted as denouncing it for a fallacy, had given more sanction to it than any man he knew. Dr. Hamilton's objection to it was more to the two modes of its operations in time of war, than to the sinking fund itself. He would read to the House the opinion of Dr. Hamilton on the subject, who, feeling it necessary to lay down certain general principles of finance, laid this down as one—"that the amount of the revenue raised in the time of peace ought to be greater than the expense of a peace establishment; and that the excess of the revenue at such a time above the expenditure, ought to be applied to diminish the national debt." He likewise added in another place, that "the excess of revenue above expenditure was the only real sinking fund by which public debt can be discharged." Such being the opinion of Dr. Hamilton as to the propriety of a sinking fund in the time of peace, all that he (Mr. Wilmot) had to prove was, that a continuance of it would be more beneficial to the country than a remission of taxation. That remission of taxation, as he understood it, was principally to be granted to the agriculturists in distress. Now, he thought it had been proved, that taxation was not the cause of their distress; and if such were the case, remission of taxation could not be a remedy for it. For his own part, he looked for relief only to a cessation of that violent re-action resulting from the extreme exertion during the late war in support of the national credit, and defence of the national honour, by which our system had been for a time dislocated. He looked with confidence to the event, sharing, as he did, the opinions of the hon. member for Portarlington and others, who contended, that the people of this country would speedily emerge from that condition which was the consequence of their over-strained exertion. He was convinced that we possessed the elements of prosperity in all the branches of our agriculture, commerce, and manufactures; and that the energies of the country would be soon liberated, and manifest themselves in every direction. If, however, at the present moment, parliament had not the firmness to apply our resources in the mode recommended by his noble friend—if they refused to secure a gradual diminution of the debt, and abandoned themselves to the despondency which some of the hon. members on the other side of the House seemed so desirous to inculcate—the fate of the country would indeed be hopeless. But; of such an event he had no apprehension. He wished to say a very few words on the subject of the change in the value of our currency. It had been argued, that the country was entitled to claim a remission of taxation, in consequence of that change. But the certainty of such a change was as well known before 1819 as now; and, under those circumstances, the solemn sanction of the House was given to the public creditor. With the general view which he entertained of the public resources, founded on the maintenance of public credit by the plan unfolded to the House by his noble friend—with the multiplied energies which the country possessed, it appeared to him, that there was every prospect of our reaching a state of greater and sounder prosperity than any to which we had hitherto attained. There was much on which they had to congratulate themselves; and all that they had to do was, to persevere in the course which a sense of justice and honor prescribed.

Mr. T. *Wilson* said, that the remedies which had been proposed by ministers had not in general been deemed satisfactory; he, therefore, might be pardoned if he took the liberty of throwing out another for the consideration of parliament. The view which he took of the present distress was not confined to its effects on the agricultural interest only, but upon the whole community. It had been avowed, that the million and a half of taxes that it was intended to take off would hardly be felt as

a relief by the country. As that was the case, the taxes might remain on, and the produce of them be reserved for the purposes which he should shortly describe. He was aware that one objection to his plan would be, that it savoured of monopoly; but he thought that to obtain a remedy for the existing distresses, a favourite principle might be for a while abandoned. If the average price of corn were to be 49*s*., he would have government to employ agents to purchase up corn with the money he had mentioned, till the price rose to 55*s*. The buying up the corn whilst the average price was from 49*s*. to 55*s*. would assist the agricultural interest, by withdrawing from the market a superfluous quantity of corn. It might be objected, that this corn might be thrown back again into the market. To prevent any mischief arising from such a circumstance, he would not allow that corn to be thrown back into the market until the average price of corn amounted to 65*s*. By that means, he should leave 10*s*. as the intermediate price between which corn could neither be bought nor sold by government; and thus no alarm could be created by their interference in the market. This was his view of the subject. He thought it calculated to remove the existing pressure, which, if it continued, would throw all the poor land out of employment, and would consequently increase the poor rates, by flinging the labourers upon them. Another advantage would be this—that it would enable the House to obtain a more accurate knowledge than it possessed at present, of the extent of growth in the country, and of the relative prices which existed between the landlord and the tenant. Some persons might be of opinion that such a plan would be attended by loss. He was of a contrary opinion. Suppose half the corn purchased to be lost; yet, as the other half would have been bought between 50*s*. and 55*s*., and would not be sold till the average price was above 65*s*. there would be a profit of at least 8*s*. on each quarter.

Mr. *Bankes* said, that though he was aware that the subject to which the hon. member who had just sat down had alluded, was not altogether relevant to the debate, he could not help thanking him for having mentioned to the house a mode of relief which he conceived to be best adapted to the distress of the country. There could be no doubt of the general proposition, that a diminution of taxation would afford some relief; but gentlemen, when they stated such a fact, should not forget the relative operation of taxation: its decrease, while it relieved one class might materially injure another, and there lay the fallacy of their argument. No man could seriously contend for the flagrant dishonesty of raising one class of society at the expense of another. With regard to the case put, of the gentleman who had a mortgage of 12,000*l*. a year on an estate worth at the time 20,000*l*. a year, and who, it was said, claimed from the chancellor of the exchequer an indemnity for the loss he had sustained on account of the fluctuation in the value of money, which he ascribed to the right hon. gentleman's financial projects, and made the claim upon as valid a right, as the fundholder could assert for his indemnity, the plain answer to such a claim was, that the public had entered into no engagement with the landholder, but they had with the fundholder: from the one they had borrowed on the security of the public faith; which they had not from the other, a circumstance which made the whole difference between the two cases. Was it not a condition of every loan contracted by the country, that a certain sum, over and above the payment of the specific interest, should be regularly set aside to create an ultimate capital for the discharge of the principal? Would it not, then, be a flagrant breach of the public faith, to say at once that the country must depart from the principle on which it had, ever since 1792, borrowed the money? Were they prepared to act in such a manner towards the public creditor, and to abandon, in a time of peace, the project of securing a sinking fund? If they once relinquished the principle of maintaining that fund, under what probable circumstances did they imagine they could resume it, if hereafter, under other circumstances, they should deem it adviseable to alter their opinion? Some gentlemen he was aware, thought the principle of the sinking fund a fallacy; but he, who believed it to be no fallacy, was not prepared to give up a system which he thought would ultimately prove advantageous to the country. Because the principle had, in some degree, been lost sight of during the most expensive war in which the country had ever been engaged—so that while a small portion of the debt was paid off with one hand, a larger amount was added with the other—was this to prevent

them from returning to sound principles in time of peace and when the country was in flourishing circumstances. If the proposition of the noble lord were adopted, was it to be supposed that it would produce no effect on the funds? Every fundholder would immediately feel himself aggrieved and alarmed: the price of stocks would fall, and every one would be disposed to remove his property to a country, where it could be more secure. In the present state of Europe, would it be no inconvenience that British capital should thus be drawn elsewhere to stimulate the industry of other countries? This would be most injurious; but this would unquestionably be the immediate effect of doing away the sinking fund. He would ask, was it possible to suppose, that if the principle of the sinking fund were abandoned, a reduction of interest could ever be effected on any of our stock? He understood that by the operation of the sinking fund an immediate reduction of taxes to the amount of one million and a half or thereabouts would take place. This was an important relief; and this would be afforded in such a way, that no man would suffer by it. By abolishing the sinking fund, public credit would be lost—that public credit which had carried the country through all the difficulties of the late unexampled contest; and he was convinced that instead of giving permanent relief to the sufferers, it would ultimately prove the means of aggravating their distress. As far as relief could be given by a remission of taxation, consistently with the high character which the nation ought to maintain, he was anxious to go. How far they might remit taxes with safety, they would shortly be enabled to determine. The noble lord had spoken of the large expenditure for the army. It was not to be supposed, after the great acquisition of new colonies which had taken place, that the same establishment would do now which was considered sufficient in 1792. These possessions, though they added to the general strength of the empire, could not be maintained without additional expense. The proposition of the noble lord had been framed (not unfairly perhaps) to catch as many votes as possible. He could wish his plan had been more distinctly defined. Some might think with the noble lord, that ministers had not gone far enough, though they only wished a reduction of taxes to the amount perhaps of two millions had been proposed, instead of a million and a half. Would he bring the question fairly before them? Would he call on them to decide on the simple question, whether or not in time of peace the House was prepared to abandon the principle of the sinking fund? When it was seen what vigorous measures the operation of a sinking fund had enabled us to adopt during the late war—when it was seen that every other country was endeavouring to imitate our system—was it now, when the difficulties with which we had to contend, were trifling, compared with those which had heretofore been overcome —was it now that we were to be so appalled as to give up that principle in time of peace, which had carried us through all the vicissitudes of war. Unless he saw a greater alteration in the House and in the country than he ever desired to see, such a proposition could never be adopted. By some it was complained, that loans obtained when the price of stock was low, were to be repaid at a high price. If it had not been engaged that each individual lending money to the state should be placed on the footing on which he now rested, on what terms could it be supposed some of the loans would have been obtained? Some of them were negociated when the funds were as low as 55 or 57; but what would the price have been in this case which he had supposed? They must have gone down to 30 or to 20; for who would have cared to advance money for the public service at all, if it had been supposed that parliament would not keep faith with the lender? Those from whom the loans had been originally obtained, were not those who would now suffer from a breach of good faith. Many of them were no longer among us. Those who had taken their places had not obtained their stock at the low price paid by the original holders of it. Would it be just, then, to despoil these individuals of the property they had acquired by purchases made through their confidence in the pledges and promises of parliament? He hoped the House would take a correct view of the proposition now before them. The real question was, whether we should have a sinking fund—whether we should have a surplus revenue; and, having a surplus revenue, whether it should be applied to the extinction of the debt. He again asserted the importance of maintaining public credit inviolate, and contended, that a sinking fund maintained through the peace, would enable us to meet, under better circumstances, any future war.

Mr. *Tierney* said, that in rising to follow the hon. gentleman who last spoke, he had to claim the patience of the House while he stated the reasons which influenced him, on the present occasion, to depart from the opinions he had long entertained in the course of his political life, upon this particular subject of the sinking fund. He should have left the House on that night most reluctantly were he doomed to give a silent vote under such circumstances. He was prepared at the outset to be visited with every species of attack for the opinions he was about to deliver. After the treatment his hon. and learned friend (Mr. Brougham) had received for delivering his sentiments; after he had been abused, and vilified, and charged with being prepared to do this and do that, taking advantage of a period of public distress, he (Mr. T.) could have little reason to hope that he could escape after the delivery of his opinions upon what was called, most perversely called, a sinking fund. The hon. gentleman who spoke last seemed to think that he also had been exposed to much misconception and misrepresentation: possibly he had been, it was that to which they were all liable, and few men had escaped through public life without their share. The hon. gentleman had proposed in the course of the last session, an address respecting economy and retrenchment; and had obtained the credit of then acting from the conviction of his own impressions and independent of the government; but this night it came out, from what had fallen from the right hon. gentleman (Mr. Robinson), that to the government the whole credit of the hon. gentleman's (Mr. Bankes) proposition was due; and that he whom they were wont to consider as the Nestor of wisdom and independence on subjects of economy, had, on the occasion alluded to, acted merely as the mouth-piece of his majesty's Treasury. The right hon. gentleman had freely and candidly avowed, that, in truth, the proposition came from government, and that they took full credit for its adoption.—On the subject of the prevailing agricultural distress, and the remedial measures which the present crisis called for, he should explain directly, why he was now ready to depart from the line of conduct which he had before pursued, when the sinking fund was talked of. He would, however, in the first instance remark, that from the course which this debate had taken, the right hon. gentleman's conduct was not quite of a piece with his wish to be the champion of administration. Was it the plan of the noble lord opposite they were now discussing? If it was, why did the right hon. gentleman deviate from the old plan he propounded in his resolutions, which went to establish a principle of specific reduction, instead of adopting the noble lord's motion on a former night, which merely called for papers that nobody objected to? He had heard nothing to-night of the loan of 4,000,000*l*. Perhaps that part of the plan had been abandoned by them, like their preceding one, and that they were now only to direct their attention to financial arrangements. Then, as to their financial system, he should say, on the best and most dispassionate consideration which he had been enabled to give it, that they could no longer act towards this sinking fund, as they called it, in the way he had previously thought they could. He had already avowed that he had departed from his old opinion: he did not see why the subject of the sinking fund should not be dispassionately considered, or why any man should be held up to opprobrium for delivering his honest sentiments upon it. He must repeat, that if persons who entertained adverse opinions upon such a subject were to be abused and misrepresented for those opinions; if party principles and party motives were to be ascribed to them, and selfish views imputed, when they honestly and manfully avowed their sentiments, it would be idle to provoke discussion in that House. He, however, would not be deterred from honestly discharging his duty, and he hoped at least they would acquit him of harbouring unfair motives when he came to such a discussion. He did not think that the question of the sinking fund was distinctly understood by the majority of the gentlemen who heard him; and the sooner they calmly brought their minds to consider it, the better; for they must give him leave to say, that before the noble lord's plan could be carried into execution (and that day, he imagined, was not far distant,) the question must regularly come before them; for, in order to give practical effect to the intentions of Ministers, as developed in that plan of applying the 5,000,000*l*., they must repeal the provisions of several existing acts of parliament. That must be done,

and, therefore, consider the matter they must, without much further delay. The sinking fund, to speak in round numbers —and he did not think the Chancellor of the Exchequer would quarrel with him one way or other about half a million—amounted to 17,000,000*l.* Of that amount 12,000,000*l.* must be applied to the current service of the country, which left 5,000,000*l.* only of surplus above the expenditure of the country. Substantively that was the operation of the present sinking fund—12,000,000*l.* out of the 17,000,000*l.* were, as he had already stated, absorbed by the expenditure, in order to prevent fresh loans. By the original construction of a clause in the act, which clause was brought in by his late right hon. friend, Mr. Fox, the commissioners for managing the sinking fund were empowered to subscribe towards the loan of the year such portion as they should deem advisable from the funds intrusted to their care. It was of course contemplated, that, during moments of particular emergency, pending the operations of war, such sums might not only with safety, but advantage, be applied by the commissioners; but nobody ever dreamed that in time of peace a minister should take so large a sum as would at once destroy the whole natural operation of the sinking fund itself. When this was done, could any thing be more absurd than to continue the whole apparatus of that sinking fund, as if it were operative according to the original intention of its founder? Was all the machinery of managing loans, and all the expenditure, attendant upon complicated movements, to be still continued on a scale as if the sinking fund were really 17,000,000*l.*, when in plain figures it was only 5,000,000*l.*? He saw in the papers on the table a sum of 19,000*l.* charged by the Bank for interest on loans. Was this connected with the machinery of the sinking fund? Having seen the item of charge, he merely mentioned it as a sum, no doubt, capable of being satisfactorily explained. But this cumbrous plan of carrying on a sinking fund, when the real surplus was so small, compared with the nominal, was in fact to throw dust in the eyes of the country—it was expensive as well as unnecessary.—He passed by what was done in 1802, and came to the material alteration in the sinking fund, when, in 1813, the present Chancellor of the Exchequer had, as he (Mr. T.) then thought, laid violent hands upon the security which this sinking fund was intended to afford for the ultimate redemption of the national debt. He then assigned a reason for what he had done, which was not exactly of a piece with that which he assigned on the present occasion. The right hon. gentleman's former apprehension, when he laid violent hands upon the sinking fund, was, that if it was permitted to go on as it was then accumulating, it would give the country too much relief [a laugh]; and he now said, that if it was not permitted to go on, the country would have no eventual relief. In 1813, the amount of taxes was at such a height, that the right hon. gentleman found it inconvenient to press any further burthen upon the people, notwithstanding the commercial bustle of the time; for it was one of the odd peculiarities of the last war, that commerce flourished more during its continuance than it did afterwards; but, notwithstanding the commercial bustle of that day, the right hon. gentleman refrained from pressing new taxes. Then came his project for touching the sinking fund: he said, forsooth, that its amount assumed an alarming appearance; he was afraid, to use the expression of a friend, that the country would awake one morning and the people all of a sudden find that they were without a debt on their back [a laugh]. The right hon. gentleman had no reason to frighten himself with such an apprehension; his alarm was quite visionary. Then he came down and said, he had got a dainty device—a mode of cancelling stock, by putting aside one sum, and taking out in a particular way another, by which, in plain fact, the sinking fund lost 7,000,000*l.* a year of its amount. This was breaking in with a vengeance upon the plan for the eventual redemption of the debt: it was depriving it of the compound efficacy which was to give such force to its accumulation. The result of the whole of the promises which the right hon. gentleman had now for so long a period held out, was simply this—he had said to the fundholders, "Though you will be under some difficulty for the first ten years of this term of twenty, yet the last ten will be such as you never saw in all your days: after the period of your troubles, will come your day of recompense and retribution. Only see how well the thing will issue; without saying

any thing at all about compound interest, money will roll back upon you faster than ever it left you." This was the proposition of the right hon. gentleman; but, just as the stockholder was looking for the recompense and retribution that had been promised, the right hon. gentleman was sure to come forward, and calmly tell him, that now there was an end of every thing which he had before held out with respect to the sinking fund—an end of his overwhelming returns, an end of his compound interest, an end of the whole scheme [a laugh]. After this, was it he (Mr. T.) who turned his back upon the sinking fund, or his majesty's ministers who turned theirs? Certainly it was not himself; because the best proof that, in the estimation of the chancellor of the exchequer himself, it was altogether a measure that would not bear the light was this—when he (Mr. T.) moved in that House that it be referred to a select committee to inquire and report how far, under the law as it then stood, the ministers of the Crown could be justified in committing infractions upon the sinking fund, the right hon. gentleman opposed the motion. He shrunk from the proposition; and yet the same right hon. gentleman now before him, was the very person who had in effect destroyed that sinking fund. It was rather too much for him at that time of day, and in his place in parliament, to be told that if he contended that there ought to be no sinking fund, he was doing a public mischief. He had stated to the House what were the grounds of his opinion; but it was proper that he should also state, that in the time of even his greatest political hostility to the late Mr. Pitt (an hostility which he might have sometimes expressed too strongly, though it never was of a personal character), he had always given him credit for his sinking fund; but the House would observe that was the sinking fund of Mr. Pitt, not the modern one. That was a sinking fund which arose, not from taxes purposely imposed for its establishment, but from a fund of one million sterling of a clear surplus revenue over the expenditure. Mr. Pitt showed, that, after every item had been considered and disposed of connected with the public income and expenditure, there was a clear surplus to that amount capable of being so applied. Into the merits of that measure, he should not then enter. Mr. Pitt always contended that there was such a fund; and Mr. Sheridan that there was not. Mr. Pitt replied to the objections of the latter, that he could show the House that there was a clear, actual, and obvious surplus of revenue that might be most beneficially applied to the reduction of the national debt, by the operation of compound interest. Without discussing whether Dr. Price's was the best scheme that could have been devised, (and whether it was or not, he did not know) he had never refused to do justice to Mr. Pitt for bringing such a measure forward. In the year 1792, it was first proposed, that a portion of every future loan should be reserved and set apart, in order to effect its redemption, by the operation of compound interest, within a limited period of time. It was this very measure, which caused a most lamentable accident to befall the late lord Thurlow, for they turned him out of the chancellorship for opposing it [A laugh.]. Very different from either of these measures was the sinking fund of the right hon. gentleman opposite. Where was it? Could any one tell him where it was in the years 1818, 1819, 1820, or 1821? Where would it have been in 1822, were it not for the reductions which had been forced upon ministers? From the speech of the noble marquis the other evening, gentlemen seemed to run away with an idea, that we had a clear growing produce of the consolidated fund of 5,000,000*l*. But the fact was not so. The real surplus was only 2,600,000*l*. By the estimate, indeed, it was 5,000,000*l*. The house would observe how much of this came under the head of contemplated retrenchments; and without any wish to weaken the statement made by ministers, he would caution hon. gentlemen, that though these estimates were extremely moderate now, it did not follow that they would be so in the course of the next year or two. This fit of retrenchment, although it had just manifested itself pretty strongly, was one that might not last for ever. He should be glad to know why these reductions had not been made before: why so many sessions had been allowed to elapse without realizing this advantage? If they had been made when they ought to have been made, we should have had 6,000,000*l*. in our pockets, and 2,000,000*l*. less of taxation to pay. But said the right hon. gentleman, there was nothing selfish or unhandsome in the way in which ministers now came forward with their plans of retrenchment or economy. Now, he

(Mr. T.) thought otherwise, and that they had proved themselves anxious to preserve their patronage up to the very last moment. As it appeared to him, the whole of the growing prosperity of the country (not wishing by this statement to undervalue the exertions of ministers, or to underate the extent of the savings effected, it being far from his wish to create a gloomy or despondent feeling in the country), the entire improvement in last year's revenue had been one million. That was the amount of increase and no more. The rest of the noble lord's statement was derived from other quarters, but he was willing to take the matter upon the showing of ministers themselves; and he then found that they had, in round numbers, a surplus of five millions; one half of that sum arising from the revenue, and the other from savings. Why, then, the clear question now to be discussed was, whether or no a man committed an offence by saying that he preferred to have that surplus carried to one side of the account rather than to the other. Now, if he had established any thing, it was this—that the sinking fund had been so completely annihilated by the chancellor of the exchequer himself, that, whether the surplus was 5,000,000*l.* or 10,000,000*l.*, its application must be now a new proceeding altogether. He had to consider what was the most proper method, in the present state of the country of applying that sum of five millions. The amount of these five millions was obviously not intended to be progressive; for there was an end to the great principle of compound interest: and he was therefore entitled to consider that this question of the 5,000,000*l.* was one which now belonged to that House to dispose of, as respected the application of the money. In what he had to offer on this subject, the house should not have any reason to complain of his want of candour. Now, in the first place, what was the noble lord's plan? Under that plan the five millions would be annually employed by the commissioners for the reduction of the national debt, in the purchase of stock; and that stock so redeemed, and furnishing an interest of five per cent., would be at the disposal of parliament; that was, he presumed, it would be employed in aid or addition to the taxes. In six years the operation of this plan, according to the noble lord's theory, would reduce thirty millions of the debt.

The Marquis of *Londonderry* here intimated, that he had computed the amount of redemption at 39,000,000*l.*

Mr. *Tierney* did not object to the noble lord's correction, and, as he was fond of round numbers, he would say 40,000,000*l.* What he meant to contend was, that at the end of six years the result would be this—(and let the house observe, he was then speaking of the progress of the sinking fund as described by the noble lord)—that they would have reduced the debt by the amount of 40,000,000*l.*, and taxes by the amount of 12,000,000*l.* But then, what was to happen at the end of these six years? Suppose there should then be a war (and such a case had been imagined, and even put by his majesty's ministers), we should begin that war with a debt of 760,000,000*l.*; and this too after a lapse of thirteen years of peace. He took the case as it had been put; but thirteen years were much beyond the average duration of those periods of peace which this country had hitherto enjoyed. We should have relieved ourselves at the end of six years, by this plan, from 1,200,000*l.* of taxes, and reduced the debt within what he supposed would be called the moderate compass of 760,000,000*l.* [A laugh.] But how did ministers arrive even at this result? By having laid on 3,200,000*l.* of additional taxes since the conclusion of the war. At the end of thirteen years of peace, it would be true that we had forty millions less of debt; but it would be equally true that our burdens had been increased by two millions. Was it too much then for him to say, that this did not hold out a very encouraging prospect? He was sure that no man heard him who did not consider this statement with something like disappointment and dismay; and, if he possessed any reflection, it could not be otherwise. It was not necessary for him to allude more particularly to what must be the real operation of the noble lord's plan; but he had omitted to state what would be its probable effect upon the interest of money, in consequence of the intended alteration in the 5 per cents. It seemed to him a very amazing thing, that the noble lord the other night should have brought forward this project, instead of the chancellor of the exchequer. He could not conceive the reason of such a dereliction of duty, because this was a dry subject of finance, very foreign from those topics upon which the noble lord was accustomed to enlarge. But, upon a little reflection, the reason was obvious, for the right hon. gentleman had brought forward

the same scheme just four years ago. The right hon. gentleman had actually employed nearly the same form of words: he expected, he said, that there would be an available surplus of 4,000,000*l.*; and declared that stocks were so rapidly improving, that he hoped the interest on public securities would, in a few years, fall to 3 per cent. For the accuracy of this statement, he begged to refer hon. gentlemen to those records, which, by some accident or other were kept, of proceedings in that house. The right hon. gentleman had exultingly said, in the year 1818, that the Bank would then shortly resume cash payments, that the funds would improve, that interest would be lowered, and that, in short, every thing would thenceforth go on surprisingly well indeed, but, in 1819, he came down to parliament to ask for 3,000,000*l.* of new taxes. For his own part, he doubted whether the sinking fund would ever produce those effects which were anticipated from it. Had he no doubt on this head, he would still say, that if the funds were to be raised by artificial means, the sinking fund would be not a benefit but a detriment to the public. The hon. member for Portarlington had already said truly, that any operation on the public funds, produced, as it were, by force, could not affect the general rate of interest. The general capital of the country could only be affected by the dealings or speculations of those who possessed it. Although Government should run up the stocks, the ordinary rate of interest would not be superseded by that circumstance. He thought, that, if the sinking fund were done away with to-morrow, the large assemblage of persons who were already invited to meet the chancellor of the exchequer would be too numerous for Palace-yard to contain. He did not believe that if the plan of the noble lord was then and there submitted, the meeting would be perfectly useless. The individuals whom the right hon. gentleman was to meet were just as quick and as discriminating in their calculations as the right hon. gentleman himself; and if any thing should intervene to make it worth their while, they would to-morrow be just as anxious to run the stocks down, as they were now to run them up. It was curious to observe that the right hon. gentleman was always extremely intent on raising the price of the funds; and it was also to be observed, that the right hon. gentleman, when he wished to know what was proper to be done for the good of the country, never sent for the member for Suffolk, Norfolk, or Yorkshire, or any other of the country-gentlemen, as they were termed; but he was accustomed to send for one or two merchants from the city—for one or two of the monied men, or for some gentleman of another religion. [A laugh.] Without meaning any reflection on them, it must be supposed that they had a little eye to their own interests surely [a laugh], and sometimes without their even being aware of the fact. A gentleman who lived in the atmosphere of the Royal Exchange would naturally feel anxious to overreach, in the way of bargain and sale, the right hon. gentleman, if possible. The right hon. gentleman, always ready to raise the stocks, often said "See how we are flourishing;" and the house had had that day, or would have in the course of half an hour, a glowing account of the finances. But the house would recollect that they had heard a similar account in the year 1818: he begged they would also remember what had happened in the year 1819, and not make themselves too sure that the same thing might not happen in 1823. The right hon. gentleman had been, on more than one occasion, deceived; and he might be equally deceived hereafter. There was one deception which he seemed to labour under evidently, and that regarded the interest of money. The high price of stock, growing out of the increase of the property of the country, was not the cause of lowering the interest of money, but the effect. Stock being raised by natural means, furnished in itself a natural proof that interest must generally be reduced. He had been astonished to hear an hon. gentleman assert, that if the sinking fund were taken away, much money would be sent out of the country. Now he (Mr. T.) had meant to argue exactly the other way. Money was sent out of the country every day, in consequence of that fund, and of the other projects of the right hon. gentleman. Million after million had left the kingdom, precisely because the right hon. gentleman had tried to lower the interest of money. Did he believe that he could have that interest one thing here, and another elsewhere? Did he suppose that to a capitalist, Holland, France, or England were not one great Royal Exchange; and that, provided he could advantageously invest his capital, he cared not

one halfpenny whether the funds were English, French, or Dutch. Was it not a fact, that from the moment it was known that the interest on government securities was to be lowered, all the foreign securities rose very considerably, and in consequence of foreigners selling out of the funds of this country, in order to get a better interest for their money? This they had done, not from any improper motive, but on the fair commercial principle of getting the most upon their capital. On these grounds he must say, that the noble marquis's plan was not likely to lead to those consequences of which so many gentlemen of the landed interest had augured so favourably, and especially as regarded the reduction of interest. Gentlemen would do well to take care that they did not borrow money at one rate of interest to day, which they might have to repay at another rate of interest to-morrow. It was true that a person who borrowed money on mortgage might be affected by such a reduced rate, but it was by no means obvious that the rest of the landed interest could be materially affected by the change. What was it to the farmer? Did the right hon. gentleman believe that the farmer could not borrow money now, even with facility? In every county of England money was going a begging; for it was not that money was wanting, but that security was wanting. Let them reduce the rate of interest to what they pleased, if security was wanting the reduction was of no use. If, as he was willing to persuade himself, he was addressing gentlemen who were the true representatives of their tenantry and of the landed interest, he would beg to ask them what kind of report they would make, when they returned to the country, to represent what had been the result of all their exertions? Would it not be to this effect:—"Gentlemen, you may be satisfied that what has been done has put all the stockholders in motion: we never saw them in greater force, and when we came out of town, they were all in high spirits: and as for you, gentlemen, we have got you a shilling per bushel off the malt." Now, if country gentlemen were satisfied with that, if they were ready to bow to the decision of the minister, if after the paltry reduction which he proposed they retired satisfied, it was not for him to censure them, they were best acquainted with their own interests, but he only asked as a favour that he might not hear any more clamour from them: he only hoped that there would be no more county meetings; and that he should hear no more fine speeches from gentlemen on the embarrassments of the landed interests. How was the satisfaction of gentlemen to be accounted for? How easy, in the opinion of such men, was confusion avoided and distress relieved, when a reduction of 1*s.* a bushel on the tax on malt was held as a signal cure. To such gentlemen, if such there were in that House, it would appear that this country, distracted and nearly ruined, was all the time they so described it, within one shilling the bushel on the malt tax, of a state of ease and prosperity.—He would now say a word with respect to the operation of the sinking fund proposed by the noble lord. It was suggested by his learned friend (Mr. Brougham), that the sinking fund, instead of being applied as pointed out by the noble lord, should be applied in aid of the burthen of taxes. He agreed entirely in the opinion of his learned friend: he was for relieving, without delay the distresses of the country, by the means that presented themselves. But was it from that to be inferred, that his learned friend or himself wished to ruin public credit—wished to strip the Treasury of every shilling it contained? No, as far as he was himself concerned, and he might say the same for his learned friend, he was a sincere friend to the public creditor, and wished to preserve sacred the engagements of the country. His learned friend had been unfairly treated. His object was to relieve agricultural distress: but his meaning was tortured and misrepresented. Gentlemen were told—"it is clear some mysterious object labours in the mind of the learned gentleman, some object injurious to public credit—some object which cannot bear the light." Such was the construction put upon the words of his hon. and learned friend, but he was sure that the motives and the object of his learned friend would bear a more steady light—a more strict inquiry than the views of gentlemen on the other side of that House. It was his opinion, that more substantial good would be effected by applying the sinking fund, in aid of taxation, which would give immediate relief, than by applying that fund towards the redemption of the debt. By the plan of the noble lord, they would derive the advantage of reducing the five per cents.—and the resolution of the right

hon. gentleman embraced that object, and took credit for it, as if it had been already accomplished; yet it was a matter at least of doubt, whether the scheme could be carried into effect to the extent contemplated by the right hon. gentleman. If he might be allowed to use so homely a phrase, the chancellor of the exchequer might find that many of the gentlemen with whom he had to-morrow to deal, were "Yorkshire too." He did not very well understand this scheme of reduction, for, supposing that he did not like to take the 4 per cents., government, he imagined, must give him his money in the capital of the fives. Very likely they might be prepared to do so; but admitting that only some might walk off with the money in their pockets, while others took the 4 per cents., it was no very trifling matter to procure 100,000,000*l*., or 120,000,000*l*., to pay these parties withal. He should say, that if they took 4,000,000*l*. in aid of the taxes, and left 1,000,000*l*. to operate by way of sinking fund, every possible risk would be obviated. Ministers had always testified an extraordinary anxiety to prevent the fundholder from suffering the slightest inconvenience. When did it happen that in any one quarter, when the fundholder was to be paid his interest, they had declined borrowing of the Bank of England? They had gone on for years, borrowing in this way most unblushingly; for that was the only term applicable to such conduct. They had gone on, prating about public credit, and yet they had done all in their power to burden and oppress it. It was objected, that if they were to adopt the plan he had now suggested, they would lose the benefit of the 1,400,000*l*.; but did any one doubt the great benefit which would accrue from the repeal of 4,000,000*l*. of taxes? An hon. gent. who had spoken that night with ability, had said, that taxes had nothing to do with the fall of prices. Nobody said they had; but if a man laboured under a variety of distresses, and you did away with a certain number of them, *pro tanto* you relieved him. If the farmer, on carrying his produce to market, had reason to complain of low prices, it was at least pleasant that, in riding home, he should not be met by a person in the shape of a tax-gatherer demanding money which he had not got. Did the hon. gentleman believe that if 5,000,000*l*. of taxes were taken off, the gross amount of the revenue would be diminished; or was he not aware that if certain taxes were repealed, the others would become more productive? His objection to the noble lord's plan was shortly this—that for a present grievance it proposed a distant remedy. As for his own proposition, if he thought that it could have, in the smallest degree, the disastrous consequence which was attributed to it, namely, that it would be an infraction of the public faith, he would not say another word about it. But what was the ground of the dismay with which it was looked at? Last year, when the surplus, instead of five millions, was only 1,400,000*l*. no dismay was excited, because that surplus was not applied in the manner proposed by the noble lord. The revenue had thus flourished under the smaller income: nobody knew of the larger amount till now: nor did he believe that they would have known of it, but for the agricultural distresses, and the necessity there was to send the country gentlemen back to their constituents with something to say to them. He did believe that if 4,000,000*l*. of taxes were taken off, that, (to borrow an expression from the noble lord) would be a principle of relief which would vivify and fructify throughout the whole country. If taxes were taken off any article to a certain amount, it was always admitted that the portion which remained would improve. In this way the country might be relieved, and the revenue not proportionally injured by a reduction of taxes. But in addition to this, there was surely something more to be done in the way of retrenchment. He had a perfect conviction that very considerable savings might be made, and if these savings were added to the surplus which would remain from the improvement of the revenue, after the proposed reduction of taxes, a sufficient fund would be created to maintain public credit, and gradually to redeem the public debt. On this ground he would take his stand—that the reduction of taxes, in the present state of the country, would more benefit the public, without any injustice to the fundholder, than the application of five millions raised in a season of distress to pay off debt. Whatever might be thought of his suggestion, he could assure the House that he had not taken a hasty view of the subject; he had long considered it, and he had come to his present conclusion, in opposition to his former opinion, with reluctance. He could only hold out prospects of increasing improvement by

affording, at present, great substantial relief. Let the House recollect, that if a new war were to afflict the country, it would be the better able to bear five millions of new taxes, because it was now relieved from their pressure. So far was he from being disposed to make any attack on public credit, that he would uphold it in the most effectual manner; and the motion of his noble friend, he could assure them, had nothing in it alarming. Suppose they were to apply the amount of all the savings to increase the sinking fund, he was convinced that the country would care very little about retrenchment. He knew of nothing that would settle all clamour for retrenchment so effectually, as telling the people that all the savings would go to increase the sinking fund, and none of them would be felt in a reduction of taxes. The country, by its loudly expressed voice, now forced the government to lessen the expense of the establishment; but the moment it was to learn that the surplus revenue was not to go to the relief of the pressure of the public burthens, it would no longer care about the matter. The noble lord anticipated great advantage from the application of 5,000,000*l.* of sinking fund, in raising the stocks and lowering the rate of interest. Now, the lowering of the rate of interest, if it proceeded, as he had no doubt it did, from the growing prosperity of the country, would take place sooner the more that prosperity increased, by a reduction of the public burthens. And here he could not omit the opportunity of saying a word respecting this growing prosperity. He was willing to allow, without being restrained by any political or party bias, that the country was generally in a state of growing prosperity. He could not believe, when he saw many branches of the industry and trade of the country improving, that the country itself could be retrograding. The prosperity of some was the improvement of all. There was a demand for capital, and an employment of it, which evinced increasing industry and extending profits; and this growing prosperity would be promoted and accelerated by a relief from taxation. He was not prepared to give any opinion about the intended financial negotiation of to-morrow, but he might suggest that the five per cents might be more conveniently paid off next year, when the other kinds of stock would rise by the reduction of interest, occasioned by the increasing prosperity. He had to apologize to the House for occupying its attention so long. He assured it that none of the opinions which he uttered had been formed without the maturest deliberation. He should not be ashamed to change his opinions upon any question of public policy, but he should not do so but upon the most mature and deliberate reflection.

The *Chancellor of the Exchequer* said, that the right hon. gentleman had stated what he conceived to be the origin of the sinking fund, as established by Mr. Pitt. He had, however, not stated it quite correctly. The right hon. gentleman complained that the system of Mr. Pitt had been departed from with respect to the sinking fund; but he should have stated, also, that if that system had been adhered to, the country would now be subjected to 17 millions of additional taxes. If the right hon. gentleman conceived it intolerable to keep up a sinking fund of five millions, how much more oppressive should he, in fairness, consider it to preserve entire the system of Mr. Pitt, which would subject the country to 17 millions of additional taxes? Such a sum would have enabled us to reduce rapidly the public debt, and to perform great financial results. The sacrifice, however, would have been in proportion to the advantage. Instead of being able to remit taxes after the peace, we should now have been labouring under the great burthen and unalleviated pressure of 17 millions of taxes. The property tax, and other taxes which had been reduced, would have been necessarily kept up to their war amount. It was true that our sinking fund of five millions was small, when compared with 17 millions; but it seemed adequate to the support of public credit, if religiously guarded and properly applied to redeem the debt. Though nominally greater before the late change, it was never so effective; for it could not be denied that, however great the nominal amount of a sinking fund, the only part of it applicable to the redemption of debt was the surplus of the public income over the public expenditure. It had been asked, if the nominal sinking fund had been abolished, why keep up the machinery by which its operations were carried on? To this he replied, that, connected as it was with all the late acts of parliament regarding finance, the entire sweeping away of the machinery would require other changes, and therefore was a measure not to be

hastily undertaken. The right hon. gentleman had committed a mistake, when he asserted that the sinking fund of Mr. Pitt in 1786 began by an existing surplus of revenue over expenditure. The fact was, that 800,000*l.* new taxes were then imposed towards creating the fund. In 1792, an addition was made to the fund of one per cent on every loan to be subsequently contracted. All loans contracted between 1792 and 1798 were contracted subject to this provision for their redemption, and the public creditor had a right to expect that this rule which had been departed from between 1798 and 1802, and again restored, should be adhered to. It had been of late years neglected. The first alteration was made between 1798 and 1802. The original fund established in 1786, was not to accumulate beyond four millions—the interest of the redeemed debt remaining at the disposal of parliament. In 1802, the two sinking funds were united. The proposal of his noble friend, to set apart five millions for the redemption of the debt, varied only from the original plan by increasing the amount. The country required, for the support of public credit, a large and efficient surplus of revenue over expenditure: 5,000,000*l.* was the least that they thought would answer the purpose. This sum, however, had never yet been realized, though the public creditor, who had not obtained the one per cent for the reduction of his debt, had a right to expect as much. In the opinion of ministers, the resolution of 1819, which declared that five millions ought to be so employed, should be as strictly adhered to as the original sinking fund was, so long as the state of the country would admit. There was now every prospect that the amount would not fall short of the estimate, though it had never yet come up to it, being last year only 2,600,000*l.*, and not 1,400,000*l.*, as had been stated by the right hon. gentleman. The right hon. gentleman was likewise in error when he argued that all the advantage which the country would derive from the retrenchment in our establishments and the financial operations in the 5 per cents would be only 1,500,000*l.* That was the amount of taxes to be remitted, but it did not comprehend all the advantages that might accrue. The country would be relieved by a constantly growing fund, and the lowering of interest which would result from the secure state of public credit would confer great benefit on all who required loans of money. The hon. member for Wiltshire had said, on a former evening, that the million and a half of land tax remitted did not amount to more than one per cent on the rent of the tenant which he argued would be very inefficient in the way of relief; but, appropriating the amount of 4,000,000*l.*, (which was the utmost proposed to be reduced), the relief could not be much more than 2½ per cent. For the sake of this trifling reduction of the burthens of which the agricultural interest complained, they ought not to make this country descend from that eminence of public credit in which it surpassed all other countries. When the country was called upon to make a sort of composition with its creditors, they were bound to show its insolvency. Now, to what were they to appeal to show that fact? With respect to the general state of the country, though it was not to be denied, that a great pressure was felt by the agriculturists, yet the traders and manufacturers of the country were in an improving, if not a flourishing condition. Since the year 1789, imports had greatly increased, and the consumption of British manufactures in foreign countries had doubled within that period.—Here the right hon. gentleman went into a review of the resources and trade of the country, which differed in very few particulars from the statement made on a former evening by lord Londonderry. As a proof of the stability of the country, he stated, that of 56,000,000*l.* which were collected within the last year, there was only a deficiency of 400,000*l.* returned to the Exchequer. He stated also, that in the savings banks an additional sum of 1,300,000*l.* had been lodged within the last year. The reduction of taxes, therefore, did not appear a matter of indispensable necessity, and would be thought by all sensible men to be dearly purchased, by any interference with the delicate subject of public credit. What, he would ask, had elevated us above all other nations? What had given us so much power in the late struggle? What had enabled us to excite and to direct the military force of Europe from St. Petersburgh to Cadiz? It was the public credit, which he now implored them to preserve. He hoped they would not come to the resolution that night of committing what he should not hesitate to call an act of political suicide. The system which they

were called upon that night to overturn, was one which was followed by other countries. France, treading in our footsteps, had now a greater sinking-fund in proportion to her debt, than we had; and America had a sinking fund that would redeem her debt in less than twenty years. He, therefore, looked to the House for the exertion of its vigour and firmness to preserve this great monument of our strength and security. Never was a more important question submitted to parliament than that on which they were that night called upon to decide. Upon that night's decision depended whether or no the plan laid down by ministers would be steadily pursued. Should the motion of the noble lord be entertained by the House, the project which he (the chancellor of the exchequer) and his noble friend had in view, must necessarily be abandoned. As they all agreed that the true glory of the country depended on public credit, he hoped the vote of that night would leave it inviolate.

After a short reply from lord Althorp, the House divided: For the original motion, 126; Against it, 234. Mr. Robinson's resolutions were then put, and agreed to.

List of the Minority; and also of the Majority.

MINORITY.

Allen, J. H.
Boughton, sir. W. E. R.
Barham, J. jun.
Benett, John
Baring, sir T.
Barrett, S. M.
Bennet, hon. H. G.
Benyon, B.
Bernal, R.
Bentinck, lord W.
Birch, J.
Boughey, sir J. F.
Brougham, H.
Browne, D.
Bright, H.
Butterworth, J.
Burdett, sir F.
Byng, George
Calvert, N.
Calvert, C.
Chaloner, R.
Calcraft, John
Cavendish, C.
Caulfield, hon. H.
Clifton, lord
Coffin, sir I.
Concannon, L.
Crespigny, sir W.
Crompton, S.
Curwen, J. C.
Creevey, T.
Davenport, D.
Davies, T. H.
Denison, W. J.
Dundas, hon. T.
Dickinson, W.
Ebrington, visct.
Ellice, E.
Ford, M.
Fergusson, sir R.
Farrand, R.
Fitzgerald, lord W.
Fitzroy, lord J.
Fairlie, sir W. C.
Grattan, J.
Guise, sir W.
Hamilton, lord A.
Heathcote, sir G.
Heathcote, G. J.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Howard, hon. W.
Hughes, W. L.
Hume, Joseph
Hurst, R.
Hutchinson, hon. C. H.
James, W.
Johnson, col.
Jones, John
Kennedy, W. F.
Lambton, J. G.
Lennard, T. B.
Leycester, R.
Leake, W.
Lethbridge, sir T.
Langston, J. H.
Lawley, F.
Maberly, John
Maberly, W. L
Macdonald, J.
Mackintosh, sir J.
Markham, admiral
Maxwell, J. W.
Monck, J. B.
Moore, Peter
Marjoribanks, S.
Normanby, visct.
Newport, sir J.
Nugent, lord
O'Callaghan, J.
Ord, W.
Ossulston, lord.
Palmer, C. F.
Pares, Thos.
Peirse, Henry
Pelham, hon. C. A.
Phillips, G. R.
Price, Robt.
Pym, F.
Ramsbottom, J.
Ramsden, J. C.
Ricardo, D.
Ridley, sir M. W.
Robarts, A.
Roberts, Geo.
Robinson, sir G.
Rumbold, C.
Russell, lord John
Russell, R. G.
Rice, T. S.
Scourfield, W. H.
Smith, hon. R.
Smith W.
Scarlett, J.
Sefton, earl
Stanley, lord
Stewart, (Tyrone) W.
Stuart, lord
Sykes, D.
Shelley, sir John
Tavistock, marq.
Taylor, M. A.
Tennyson, C.
Tierney, rt. hon. G.
Titchfield, marq.
Tulk, C. A.
Ware, J. A.
Webbe, Edw.
Wilkins, W.
Wilson, sir R.
Wells, John
Wood, ald.
Wyvill, M.

TELLERS.

Althorp, lord
Duncannon, lord

MAJORITY.

Apsley, lord
Alexander, J.
Alexander, J. D.
Arbuthnot, rt. hn. C.
Atwood, M.
Acland, T. D.
Astley, sir J. D.
A'Court, E. H.
Ashurst, W. H.
Astell, W.
Bective, lord
Bastard, E. P.
Bastard, John
Blake, R.
Binning, lord
Browne, J.
Browne, rt. hon. D.
Browne, Peter
Bruce, Rt.
Balfour, John
Bernard, visc.
Bourne, W. S.
Brogden, J.
Burgh, sir U.
Baillie, John
Brownlow, C.
Buchanan, J.
Bradshaw, R. H.
Blackburne, John
Bankes, Henry
Bankes, George
Bathurst. rt. hn. C. B.
Bridges, G.
Brandling, C.
Burrell, W.
Corbett, P.
Cook, sir C. H.
Cranborne, lord
Cole, sir L.
Chaplin, C.
Childe, W. L.
Campbell, Arch.
Curteis, J. E.
Curtis, sir W.
Cockerell, sir C.
Calthorpe, hon. F. G.
Croker, J. W.
Courtenay, T. P.
Courtenay, W.
Cherry, G. H.
Cocks, hon. J.
Canning, rt. hon. G.
Cooper, R. B.
Cholmeley, sir M.
Cholmondeley, lord H.
Calvert, John

Chandos, marq.
Copley, sir J. S.
Cartwright, R. W.
Clive, Henry
Cockburne, sir G.
Cust, hon. E.
Cheere, E. M.
Claughten, Thos.
Chamberlayne, Wm.
Clerk, sir G.
Clinton, sir W. H.
Congreve, sir W.
Cripps, J.
Curzon, hon. Rt.
Dundas, rt. hon. W.
Dawkins, J.
Dawkins, Henry
Doveton, Gabriel
Divett, Thos.
Dowdeswell, J. E.
Dawson, G. R.
Dawson, J. H. M.
Downie, R.
Davis, Hart
Don, sir A.
Estcourt, T. G.
Evelyn, L.
Ellison, Cuthbert
Eastnor, visct.
Egerton, Wilbraham
Ellis, C. R.
Elliot, hon. W.
Fynes, Henry
Fane, John
Fane, Vere
Fleming, John
Fleming, John
Fellowes, W. H.
Forbes, C.
Gurney, H.
Grant, right hon.
Greville, hon. sir C.
Gilbert, D.
Grenfell, Pascoe
Gifford, sir R.
Goulburn, H.
Gordon, hon. W.
Gooch, T. S.
Gower, lord F. L.
Grant, A. C.
Gipps, G.
Handley, Henry
Harvey, sir E.
Hotham, lord
Hamilton, sir H. D.
Hill, sir G.
Hill, Rowland
Heber, R.
Heygate, alderman
Hawkins, sir C.
Huskisson, rt. hn. W.
Hardinge, sir H.
Holford, G. P.
Holmes, W.
Haldimand, Wm.
Innes, John
Irving, John
Jenkinson, hon. C.
Knox, hon. T.
Kingsborough, visct.
Keck, G. A. L.
Knatchbull, sir E.
Lowther, visc.
Lowther, John
Lowther, John jun.
Legge, hon. H.
Leigh, F.
Lewis, W.
Lucy, George
Lascelles, hon. W.
Lyndsay, hon. H.
Long, rt. hon. C.
Londonderry, marq. of
Lygon, hon. H.
Luttrell, H. F.
Luttrell, J. F.
Littleton, Ed.
Lewis, T. F.
Marryat, Jos.
Magennis, Rd.
Musgrove, sir P.
Macqueen, T. P.
Morland, sir S. B.
Monteith, H.
Montgomery, Jas.
Macnaughten, E. A.
Morgan, G. G.
Mountcharles, lord
Macdonald, R. G.
Money, W. T.
Manning, W.
Martin, John
Mansfield, J.
Mills, C.
Mitchel, John
Neale, sir H. B.
Nightingale, sir M.
Nolan, M.
Nicholl, rt. hon. sir J.
Nugent, sir G.
Owen, sir John
Onslow, Arthur
O'Grady, S.
Pringle, sir W.
Prendergast, M. G.
Pollen, sir J.
Paget, hon. B.
Paget, hon. sir C.
Pechell, sir Thos.
Phillimore, Dr. J.
Peel, rt. hon. R.
Peel, W.
Palmerston, visc.
Pitt, W. M.
Pearse, John
Pennant, G.
Ryder, rt. hon. R.
Raine, J.
Robinson, rt. hon. F.
Robertson, A.
Rice, hon. G.
Rogers, Edw.
Rowley, sir Josias
Sotheron, F. F.
Sandon, visc.
Stewart, Alex.
Stuart, W. (Armagh)
Skeffington, hon. T. H.
Scott, Sam.
Sheldon, R.
Sumner, G. H.
Strutt, J. H.
Shiffner, sir G.
Smith, T.
Smith, Sam.
Smith, Abel
Smith, R.
Smith, Christ.
Thompson, W.
Townshend, hon. H.
Twiss, Horace
Taylor, sir H.
Ure, M.
Upton, hon. A.
Vernon, G. V.
Vivian, sir H.
Vansittart, rt. hon. N.
Villiers, rt. hon. C.
Wrottesley, H.
Wilson, W. W. C.
Wilson, sir H.
Wilson, Tho.
Wellesley, Rd.
Willoughby, H.
Wodehouse, hon. J.
Wodehouse, hon. E.
Wildman, J.
Williams, Rt.
Wood, col.
Wynn, C. W.
Wortley, J. S.
Wilmot, Rt.
Whitmore, W. W.
Wetherell, C.
Ward, Robt.
Walker, Joshua
Wallace, rt. hon. T.
Wall, C. B.
Yarmouth, earl of

TELLERS.
Lushington, S.
Osborn, sir J.

HOUSE OF COMMONS.

Friday, February 22.

NAVY ESTIMATES.] The Chancellor of the Exchequer having moved the order of the day, for going into a Committee of Supply,

Mr. *Hume* said, he would not consent to the House resolving itself into the committee at present if he could prevent it, and he would state his reasons. In the last session it was stated by ministers, that, for the future, every information would be given that might be requisite to explain the particulars of the proposed estimates. Notwithstanding this promise, which the noble marquis was bound to fulfil, they now refused to grant any account in detail of the application of the large sums which they called upon the House to grant. They on this night called for a sum of not less than 1,781,325*l.* for charge of wages, victuals, wear and tear, and ordnance for the navy, and this was called for without any other detail than what was contained in four lines, which merely gave the four heads of expenditure under which the money was to be applied. Heretofore it had been the custom of the House to pass such a vote *sub silentio*, and it was not until the last year that any previous explanations were demanded respecting the details. It would be recollected, that in 1817, the noble marquis, as he (Mr. H.) understood from the published reports of what passed in parliament, which were pretty accurate, stated,

that the estimates of that year were brought down as low as could at that time be expected; not as low as it was possible for them to be made hereafter, for it was to be expected that they would become lower every succeeding year of peace. There was then in the estimates, it was said, an aggregate of three millions and a half for extraordinary war charges, which would not occur again; but instead of finding that statement borne out by subsequent circumstances, it turned out that the estimates had rather increased than decreased in the naval department every year since. In 1817, the estimates for seamen's wages, victualling, wear and tear, and ordnance, were fixed at 1,556,100*l.*; and the committee of finance distinctly stated, that they anticipated a gradual reduction on all the charges for which that sum was a provision, except the head of seamen's wages, which could not take place, as it would be found that the number of able seamen employed during peace was greater in proportion than in time of war; but the committee did anticipate a gradual reduction on all the other heads of expenditure. After this statement, what was his surprise to find, that in the first vote they were called upon to grant for the navy, and he entreated the attention of gentlemen to this point, a sum of 1,781,325*l.* for that service, for which his majesty's ministers had said in 1817 that 1,556,100*l.* would be sufficient. Here, then, was an increase of 225,220*l.* in the sixth year of peace, beyond what it was in the fourth. Now he would ask, why should not the House reduce those estimates to what they were, he would not say before the war, but to what ministers themselves had declared was sufficient in 1817? But this not being the case, he trusted that the House would not consent to vote a single shilling until they got a detailed account of the manner in which the sums called for were to be applied. Here was a demand, in four lines, of such large sums as—for wages of seamen, 593,775*l.* and for wear and tear of ships, 532,350*l.*; for victualling, 559,650*l.*, and for navy ordnance, 95,550*l.* Now, he wanted to know in what manner those four sums were to be expended. In the first place, he wished the House to be informed of the particulars of the first vote; but to his demands, heretofore, on this head a distinct refusal was given. He wanted details similar to those which had been called for and given to the finance committee. By one of the returns before the House, it appeared that the charge for the establishment of the royal marines was 340,666*l.* for 1821, while in the former peace, the charge did not exceed 130,000*l.* Now he contended that if the present sums were granted without an inquiry into the particulars of their application, without having a return of the officers employed in various departments, and of the several sums paid to each, members would be precluded at any other time from taking the sense of the House on the staff officers of the marines, which he thought they ought to inquire into, as particularly as into the staffs of the army and artillery. They had a number of situations connected with the royal marine establishments, which he looked upon as little better than, if not in fact, sinecures; and though it might be said that these were given to very deserving officers, yet the House should know, the grounds of an expenditure which cost the country a sum of not less than 20*l.* per day. There was 5*l.* a day to a general, 4*l.* to a lieutenant-general, 3*l.* to a major-general, 2*l.* each to four colonels and so on; but the reasons for all this expensive staff should be stated, and examined by the House, before they granted the money. He found that the expense for marine barracks was not less than 12,068*l.* Was it to be said, that all this was necessary where a great portion of the men were afloat? Was all that sum to go in repairs? If so, he would say, that either the barracks were kept up on a much larger scale than was necessary, or that the repairs themselves were the subject of a job. To have this explained, it would be necessary that the particulars should be laid before the House.—There was, he perceived, an item for contingencies to no less than 12,724*l.* What was the nature of these contingencies? Was the House to be kept in ignorance of the manner in which this was to be applied? If they were, how could they guard against misapplication? Various branches of expense might be introduced under this head, to which the House might not consent if they were aware of them. He remembered, that on one occasion it had been stated by the commissioners of military enquiry, that the expense of the engineer staff was charged under the head of draught cattle! and, for aught the House now knew,

ministers might apply some of those contingencies in pensions or useless expense: but, let them have all the particulars before them, and then they could judge of the application.—He saw also in another estimate, a charge for a paymaster and inspector-general of marines amounting to about 2,930*l.* per annum. To this subject, he had called the attention of the House on a former occasion. It might be said now, as it was then, that they were very useful; but the information which he had respecting them was, that they might be dispensed with, and from very good authority; and the present was a time when no situation of doubtful importance ought to be kept up. From the returns made to the House, it appeared that the whole effective service of the navy cost the country comparatively but a small sum; while, from the enormous amount of civil establishments connected with it and ship-building, the estimates amounted to 5,500,000*l.* It was in order that the House should be informed of the details of those establishments to be paid by this vote, that he would move the resolutions which he intended to submit. His first resolution would be for information as to the application of the large sum under the head of wages; his second would call for similar information with respect to the cost of victualling, which would include a return of the prices paid for provisions for the navy in the years 1813, 1817 and 1821. He knew that the victualling department could purchase provisions as cheaply as any other persons, and much more so. The prices of most articles of consumption were fallen to half what they were a few years back; and if so, the provisions could be provided at half their former price: and yet it was singular, that the charge for victualling the navy was 1*l.* 19*s.* per head, whilst in 1817 it had been 2*l.* 1*s.* each. It might be said, perhaps, that on foreign stations this could not be the case; but he maintained, that if provisions were purchased abroad, they could be procured cheaper than in this country; but if they were sent out, then, as we paid for the hire of transports under a particular head, the prices would be the same in this estimate.

He again repeated, that the House ought not to consent to any vote, until they had full information on those subjects. If the accounts were all fair—if there was nothing in them that ought not to be—why should they be refused? It was treating the House with great contempt to refuse them; but if the House would support him, he pledged himself, that if he remained until ten o'clock tomorrow, he would oppose every vote of supply until those accounts were granted. He took blame to himself for having given way so often last session, and for not having called for details of the expense of various branches of the navy estimates. If ever there was a time when the most minute examination should be made into our expenditure, if ever there was a time when it was important that not a shilling should be voted but what was absolutely necessary; if ever there was a time when the pressure of the most severe distress called for the most rigid economy in every department, that time had now arrived. The time had arrived when we should look with the greatest strictness to the conduct of the chancellor of the exchequer, whose promises had been utterly falsified; for the right hon. gentleman had promised a surplus of revenue of 4,000,000*l.*, and we got only 1,400,000*l.* in the last year; and he (Mr. H.) maintained that there never would be any efficient surplus unless that House interfered. He had shown on a former evening that the right hon. gentleman was entirely wrong in his calculation as to the surplus revenue. The statements which he then made had remained wholly uncontradicted and the result had proved his (Mr. H.'s) accuracy. Let the right hon. gentleman contradict them if he could.

The third resolution which he should submit would be for details of the estimate for wear and tear of ships: his reason for wishing for this account was, the promise which had been held out by the finance committee, that, after a short time, our expenses under the head of building and repairs would be considerably diminished. He, of course, admitted that it was necessary that ships laid up in ordinary should be well repaired; and he believed that the vessels so laid up were now in a better condition than they had ever been known before, and that the whole system of our ordinary was the best which could be adopted [Hear]; but he could not see why the gross amount of wear and tear under the head he had mentioned should be so great. The sums we had expended for wear and tear in building and repairs of ships in ordinary, since the war were most enormous. They were not less than 17,000,000*l.* [Hear, hear, from a member on the ministerial side.]

If (continued Mr. Hume) the hon. gentleman doubted the fact, he would read for him, from the several estimates, an extract of which he held in his hand, as printed last session, the particular sums expended in each year. The amount would be found as he had stated it—a sum which one would think large enough to build all the navies in the world. Now, after that large expenditure, it ought to be expected that the estimates, under the head of wear and tear, would not be so much in the present year, and particularly after the statement of the finance committee. Besides, there was not the same cause of wear and tear now, that existed during the war. There was now no blockading in the winter and stormy seasons. Our ships were not exposed to the same hazard; the time of naval officers was now passed in comparative ease and pleasure. [Hear, from the ministerial side.] He would repeat it,—it was passed in ease and pleasure, as it ought to be, compared with former periods. Ships were not now engaged in blockading the Texel, the Gulf of Lyons, and other places, as formerly, with a vast expense in the consumption of stores of every kind, and a great increase in the charges for wear and tear; and when that charge was so low in 1792, he did not see why it should be more than doubled in the present day. But he wanted to know the particular details of this expense, and then the House would judge whether it was well applied. The fourth resolution which he intended to move applied to the fourth head of the public expenditure; namely, to the estimates for the Ordnance and king's stores, which last year amounted to 100,000*l.* though they had now been reduced to 95,520*l.*

Mr. *R. Ward*.—I wish to inform the hon. gentleman, that since the estimates were presented, a further reduction has taken place, which makes them amount to not more than 81,000*l.*

Mr. *Hume* was glad to hear that such a reduction had been made; but still that did not at all affect his argument. He wished to have detailed accounts of the manner in which the money voted for the Ordnance estimates was expended; because he had heard from pretty good authority, that 20,000*l.* of it had been expended on the Ordnance craft. Now, such an item was no where to be found in the estimates; and he wished to know why it had not a place there, if it had been expended? Indeed, there was not one item given in round numbers which did not require the most minute explanation. Before he had brought forward his motion last year regarding the borough of Queenborough, he had been told, that the whole of the establishment kept up there was paid for under the head of Ordnance craft. This might or might not be the case, but he never could, until a few days ago, find out where the 20,000*l.* to which he alluded was charged in the estimates. He found 11,000*l.* put down there for Ordnance craft, and 4,875*l.* for magazines for navy stores, making together a total, not of 20,000*l.*, but of 15,875*l.* Now he intended to say a word or two at a future time, upon the employment of this craft, which was chiefly employed in sailing to and from Sheerness upon mere parties of pleasure. In Appendix, page 96, to the Third Report of the Finance Committee, the committee objected to the floating magazines, and to the Ordnance craft, as belonging to the Ordnance, and stated that if such vessels were required they should be supplied by public contract, and not be kept up as government vessels. The committee stated, that the gunpowder kept in these magazines was rendered unfit for public service until it was restored. For what purpose, then, were these magazines kept up? Or of what use could they possibly be, except it were to transfer gunpowder to them from the ships of war that were undergoing repair? Instead of having only one or two floating magazines which might be useful for that service, they had fourteen of them kept up, in direct opposition to a recommendation of that finance committee In the same manner five or six vessels had been hired from members of the corporation of Queenborough; several of these vessels did not measure more than 17 tons. The right hon. gentleman opposite had stated, that one measured 30 tons, and could not be convinced to the contrary, until he (Mr. Hume) had put into his hand an official return, signed by his own officer, captain Dickenson, that that craft only measured 20 tons, and not 30, as entered in the last return to this House. The House would recollect how much discord they had witnessed during the last session about the ship Harmony or the Howe. Now he had taken the trouble to get that vessel measured, and he maintained, in opposition to all that the hon. gentleman had

formerly urged, that she did not measure more than 17 tons. And yet the expense to which that vessel annually put the country was 394*l.* 10*s.* for wages and repair. If the papers for which he intended to move were laid on the table, he would pledge himself to prove that the vessels hired from the corporation of Queenborough were not employed more than one or two days in a month; whatever might be the case with vessels which belonged to proprietors of inferior influence. As an example of the class of persons in the Ordnance craft, he would state, that out of 113 mates and men who were employed in the Ordnance craft, there were 74 of them voters of Queenborough.

Whether that was or was not a reason for continuing those vessels in employment, contrary to the recommendation of the finance committee, he should leave to the House and to the country to determine. Besides the vessels that were thus employed as floating magazines, there were 9 hoys, all of them engaged at the sum of nearly 1*l.* per diem, and all of them belonging to different voters of the town of Queenborough. The total expense to which they put the country amounted to no less a sum than 3,285*l.* a year, of which a full half was clear profit to the proprietors, the wages of the seamen and the wear and tear of the vessels evidently not amounting to more than the other half. Two of those hoys had, to his knowledge, lain before Woolwich wharf, for four or five years, doing nothing, at an expense of 18*s.* per day to the nation. Were such proceedings correct or justifiable? He maintained that they were not, and contended that they fully justified the demand that he was making for further returns.

He trusted he had shown enough to the House to convince it that it ought not to consent to vote away 81,000*l.* for the estimates for Ordnance for the service of the navy, when so large a portion of it had been expended in that manner for very different purposes. He might perhaps again be told by an hon. member (sir I. Coffin) that, in the observations he had just made, he had shown that he knew nothing about the navy. He had, however, been at sea part of his life; and he should never think of going to sea, as he had been advised, on a three-legged stool. He was surprised that any member in a British House of Commons could condescend to talk in such a manner as he had done; which the deference he felt for the hon. member who had used it only prevented him from characterizing as it deserved. [Hear.] The hon. member then proceeded to condemn the manufacturing of gunpowder, at an annual expense of 12,000*l.* as a very useless and unnecessary expense. He was decidedly of opinion, that in the present state of the trade, private manufacturers could amply supply the wants of the country. He did not know whether government had made the reductions at Feversham and Waltham Abbey which the finance committee had recommended; but this he would say, that, if all the manufactories for gunpowder there were entirely abolished, the country would be in no danger in case of a war of wanting a supply; as it had already in its magazines ammunition that would serve it for 20 years. Why then, under such a state of things, were those expensive establishments continued? When the returns for which he intended to move were laid upon the table, he would leave the House to decide, whether it was not for the support of similar political influence with that exercised at Queenborough, and for the purpose of securing certain votes which were of use in a general election that these establishments were kept up. Until those returns were made, the House ought not to vote away one shilling of the public money. If those returns were laid on the table, every item in them should, as far as he was concerned, be fairly and impartially examined. He said, "fairly and impartially;" because he had no desire to reduce the efficiency of our naval power. On the contrary, he was sorry to see that it was so much neglected in the efficient force, the number of seamen. He would freely confess that he should prefer seeing the whole of its expenditure for seamen doubled to seeing so much of our money expended upon barracks and military stations in every part of the country. He felt as much pride as any man could do in the great and gallant exploits of our army; but he could not forget, that it was our navy which had first raised the character of the country and had protected us from insult during the whole war, and which had even enabled us to make our army as efficient as it afterwards proved itself to be. [Hear.] If, therefore, he were obliged to show a preponderance either to the army or to the navy, his preponderance would certainly be towards

the navy. It would give him great pleasure to reduce a part of the army, and to add the number of men so reduced to the 13,000 seamen who were this year to be kept in service. Indeed, if the House were to decide that there should be 21,000 men employed for the navy, he should prefer having 15,000 seamen and 6,000 marines, to having 13,000 seamen and 8,000 marines. He made that declaration, because the marines were to be considered as a part of that immense standing army with which the nation was at present burdened. It was not any dislike to the marines that induced him to express such an opinion; by no means; he was fully impressed with a sense of the important services which they had rendered their country, and was sorry to observe that they had been so much neglected, and, he would say, ill-treated, by government since the conclusion of the war. After some other observations, the hon. member concluded by moving his resolution:—"That there be laid before this House, a return in detail of the manner in which the sum of 593,755*l*., estimated for wages of seamen, in 1822, is to be expended; distinguishing the number of each rank, of the royal marines, and the pay of each class, and of the whole; the number of officers of each rank, and of men, in the navy; the amount of charge for each class, and for the whole."

Mr. *Croker* commenced by stating the regret which he felt in having to come forward to oppose any thing like examination into the public expenditure of the country. He was convinced, however, that it was his duty to do so upon the present occasion, inasmuch as the hon. member for Aberdeen had not satisfied him that ministers had been anxious to withhold from him any information which they could communicate consistently with their duty to the public. Of all the myriads of papers for which the hon. member had moved, these would be the first that government had refused him. He trusted, however, that he should be able to show, that they refused them upon grounds that were just and satisfactory, and not altogether unconnected with the public safety. He must premise what he had to offer to the House, by observing, that the navy estimates had been voted for about 160 or 170 years in the very same manner in which they were now proposed, and that the present was the very first time, among all the wild fancies that had entered into the brains of violent politicians, among all the absurd wishes which had been formed in the imagination of would-be-statesmen, and among all the extraordinary feelings in which party men sometimes indulged the one against the other, that a motion such as the hon. member proposed, or any thing like it, had been submitted to the consideration of parliament. He mentioned that fact, not for the purpose of stating that the House, even if the hon. member made out a case, was bound not to institute the proposed inquiry, because nobody had ever instituted it before; but for the purpose of reminding them, that their ancestors, as well as themselves, must have had some good reasons to induce them to treat the subject with the peculiar delicacy they had always applied to it. He asked them to do no more than keep that circumstance in their recollection; and if he did not, before he concluded, rebut every particle of charge which the hon. member had brought against government—if he did not refute all the mistakes into which he had fallen—he would allow that hon. member to say that the present was a case in which they ought to depart from the practice which they and their ancestors had so long adopted. He was sorry that he had to address them upon a subject which would require him to go into many minute, and, he was afraid, uninteresting, details; but as the hon. gentleman's arguments principally rested upon those details, he was obliged, however unwilling he might otherwise be, to follow him over the same grounds on which he had ranged at great length, and apparently with great pleasure.

It might not be known to all the gentlemen whom he had then the honor of addressing, that the naval expenditure of the country, consisted of three divisions; of which the first was at that time before the House, and related to the setting of our fleets afloat, to the embarkation of the men and stores, to their general equipment, and to the keeping of the vessels ready for sailing. The hon. gentleman might say, that a knowledge of the items of that expenditure, and of the services which it was to enable the fleet to perform was attended with much less inconvenience in time of peace than it would be in time of war. Perhaps it might be so; but, what he meant to contend was, that if the argument of the hon. member applied at all, it applied with greater force to the necessity of giving that knowledge to the

public in time of war than in time of peace, inasmuch as, from the increased establishments, and the constant employment in which they were all kept, abuse was then most liable to prevail among them. Now, the inquiry which the hon. member wished to institute was an inquiry into the means supplied to set the fleet afloat. In order to show why that inquiry ought not to be instituted, he would remind the House, that the second division of naval expenditure was the ordinary estimates of the navy, and the third division the extraordinary estimates, in which were included the building and repairing of ships, and the various works in our ship and dock-yards. Whilst from all time the expenditure requisite to set our fleets afloat had been considered as a point of the utmost delicacy, the ordinaries and extraordinaries of the navy had been exposed to the most open and rigid investigation. The hon. member opposite could not, as far as those accounts were concerned, complain of the obscurity with which they were drawn up —an obscurity of which, on every occasion, he took care to shew himself extremely jealous. What was the reason of the distinction that had been made between the two accounts? He would shortly inform them. No possible injury could arise to the state from making public that which was known to be daily passing in England, as to the ordinaries and extraordinaries of the navy; but great danger might, and most probably would, accrue to it; at any rate, great inconvenience to the public service must positively accrue, if all the various circumstances under which a fleet was to be put afloat were rendered matters of public intelligence in England, and by that means in every country with which it could open any communication. "But," the hon. gentleman would perhaps say, "how can the kind of information which I wish for, have the effect of betraying secrets?" The suggestion of the hon. gentleman's honourable friend near him, who reminded him, during his speech, of foreign stations, would answer that question. When the hon. gentleman talked of victualling the fleet, he spoke of the provisions as if they were bought in Leadenhall-market, or at the prices current in England. And when his hon. friend reminded him of foreign stations, the hon. gentleman's remark was, "O yes! but we send out provisions to them." Did the hon. gentleman understand the nature of victualling the navy so well as to suppose there was no difference in the expense of victualling ships on foreign stations and at home? If the hon. gentleman knew any thing of the subject, he would know, not only that there was a great difference between the expence of victualling ships on foreign stations and at home, but that there was a great difference in the expense of victualling ships on different foreign stations. Now he (Mr. Croker) asked, whether, if at the beginning of the year these estimates were presented to parliament, in the detailed manner required by the hon. gentleman, they would not exhibit the amount of force which it was intended to maintain on every foreign station? The hon. gentleman might perhaps justify his motion by referring to the information which the committee of finance in 1817 obtained with respect to the manner in which the accounts of this estimate were prepared. This, at least, shewed that there was no desire for concealment on the part of government. And besides, that communication related to the year gone by, and therefore could not be injurious. It was made but once; and it was made to shew from the past the confidence that might be reposed *in prospectu*. But, because government thus —he would say in their liberality—communicated this information so circumstanced to a select committee of the House of Commons, was that a reason that any hon. member should declare that he would not consent to allow the fleet to go to sea until government explained in what way they intended to direct its force.

The hon. gentleman had proceeded to examine the estimate under three heads; —the wages of the men—the victualling of the men—and the wear and tear of the ships. As to the Ordnance, that was a separate question, on which, however, he would not forget to touch before he sat down. The hon. gentleman had, it seemed, found out, that since the year 1817, seventeen millions had been expended in building and repairing ships, and declared that that was enough to build all the navies of the world; and he had then proceeded to express his wonder how it was possible, after such an expence, that the ships afloat could want any expence for wear and tear. He pledged himself to give the hon. gentleman, not only all the papers he now asked for, but all for which he might in future ask for, if he did not prove that, in the course of that time, the building and repairing of the navy

had cost less than seven millions, instead of seventeen millions. The hon. gentleman compelled him to say, that he had been talking what the hon. gentleman metaphorically termed nonsense. Really, the hon. gentleman seemed to have mistaken stones for wood, land for water, storehouses for ships, the works at Sheerness for a fleet of first-rates. [A laugh.] He was the more induced to entertain this opinion, because he found that the whole extras of the navy, comprehending the building and repairing of ships, the erection of storehouses, the construction of works, and among the rest the Breakwater at Plymouth, the expense of which was of itself a million, amounted, during the last five years, to within a trifle of the seventeen millions, which the hon. gentleman declared the building and repairing of ships alone had cost.—He did not wish to be trusted on this subject. He held in his hand the estimates from the year 1817; and he would read the items which related to the building and repairing of the navy, in order to show the accuracy of the hon. gentleman, and he would then p[illegible] to the House whether they would call for details never before given, on such information as that of the hon. gentleman's? He would read the statement, and he would be much obliged to the hon. gentleman if he would correct any error in it [Mr. Hume, across the table—"I will."] The sum voted in 1817 was 1,390,000*l.* [Mr. Hume—"1,600,000*l.*"] He (Mr. Croker) would refer to the Journals. It was there stated that the sum voted in 1817 was 1,391,277*l.* the sum voted in 1818 was 1,130,000*l.* the sum voted in 1819 was 1,144,000*l.* the sum voted in 1820 was 1,142,000*l.* the sum voted in 1821 was 1,094,000*l.* hon. gentlemen could not carry all these sums in their heads to add them up; but they would at least observe, that no one of them ever reached two millions; and yet the hon. gentleman did not hesitate to state, that in those five years the building and repairing of the navy had cost 17 millions. To borrow a metaphorical phrase, the hon. gentlemen's "noble had indeed come to nine-pence;" for the fact was, that all the items of the expenditure for the purpose alluded to, added together, amounted only to 5,900,000*l.*

He would now beg leave to return from this episode—this digression, into which the hon. gentleman had led him. Really, when he considered the gross mistakes which the hon. gentleman had committed, he was astonished how he could come down and dictate to the House of Commons, and declare that he would sit there till ten o'clock to-morrow morning, and keep the House sitting too, unless papers, never before granted were laid before the House to enlighten his misinformation, which, in truth, it would take much longer than until that period to correct. [A laugh.] The hon. gentleman did not even know the meaning of the term "wear and tear," which he chose to call "tear and wear." The hon. member had stated that we were building ships, and keeping them in ordinary to prevent the wear and tear of the fleet afloat [Mr. Hume "no, no," order, order.] He had no objection to the hon. gentleman's interruptions, and he assured him that if he (Mr. Hume) felt it difficult to restrain himself at present, he (Mr. C.) felt it equally difficult to do so, while that hon. member was making his statements. The hon. member had indulged in severe observations upon the holiday yachts, the summer sailings, the airings to commissioners, and the balls and suppers which were every day going on in the navy. He would tell that hon. member, that there was more labour, more active exertion, more wear and tear of human life at sea in the course of the last year, the last dreadful year, than in any other which the hon. member could point out even in a time of war [Hear]. Did the hon. member recollect that, according to a wise and wholesome policy, our sailors, instead of being kept cooped up in guard ships, where they were likely to become weak and sickly, were now employed in the different cruisers off the coast to prevent smuggling; and with what effect they executed this duty was to be seen from the thriving state of the Customs and Excise. Besides, there were four times more wear and tear in the employment of 1,000 men in small cruisers, than if they were all put into one or two large ships. Then down came the hon. member with a mass of information in his possession; he stated that those men who had been buffeting the hard gales of winter, had been pleasuring and summer sailing, and giving balls and parties, and so forth. But this was not all; the hon. gentleman appeared to have forgotten his geography. He had forgotten that we had to send ships to the Mediterranean; that we had the British interests in South America to protect. Did the hon. member know that

our ships could not reach South America without doubling Cape Horn? [Hear, hear, from Mr. Hume]. Well, then, if the hon. gentleman knew that, did he mean to say, that cruising off Cape Horn was yacht-sailing in summer, or that a voyage to the Cape of Good Hope was a party of pleasure under an awning? [Hear, hear! and a laugh.] There was also a branch of the service in which he did not know whether the hon. member took an interest, but one in which certainly others did; namely, the naval service on the coast of Africa, for preventing the slave trade. Was that yacht-sailing, too, under an awning? Any-body must be struck with the ridicule of such a description, the moment the thing was properly exposed. He did not wish to mis-state the hon. gentleman—[Hear, hear, from Mr. Hume]—nothing would be such a gratuitous piece of malice; for the hon. gentleman himself furnished such ample opportunities of detecting his own mis-statements, that it would be bad taste for any body else to take the trouble [Hear, hear]. The hon. gentleman cast aside, in his sweeping allusions, the foreign stations, although reminded by an hon. friend of his of their existence, while he was speaking—he threw them overboard from the debate [A laugh].

He had now dismissed the two first points, and he hoped he had sufficiently shown to the House, that there did not so far exist the slightest ground for granting the hon. member's motion. "But," said the hon. member, "the wages of sailors are small, and I wish to have the returns both of the sums paid to them and to the marines;" and, as a precedent he stated, that he had last year moved for, and obtained, similar accounts. Why, if the hon. member wished to make a similar motion this year, there should not be the slightest objection to its being granted. And why? Because the accounts then furnished were only those of the number of men in England; it did not include an account of those who were to be sent to America, the East Indies, the West Indies, or the Mediterranean. But perhaps the hon. gentleman might object to the accounts of last year, on the ground that he did not understand them. In this he agreed with him; and he would give to the House his reason for saying so. The hon. member had stated, that the wages of sailors and marines amounted together to 600,000*l.* of which sum he found that 350,000*l.* went to pay the marines, and deducting this from the gross amount, it turned out that the sum voted to pay our seamen—the pride and boast of this country—a country which held such a peculiarly advantageous naval situation, was no more than 250,000*l.* The hon. member (Mr. Hume) went on to say—"What is our navy reduced to this? Is this the reward which you give to the men who have fought your battles, and who have saved your country?" Now, he would show the House the manner in which the hon. gentleman had made his calculations. He had taken the whole expense of the marines, including wages, the expense of their barracks, their clothing, marching money, beer money, recruiting money, and meat money, and lumping all these together, he at once deducted them from the 600,000*l.* which was the charge for sailors and marines wages, and in which the above items were not at all included. [Hear.] Did any one ever hear of a more absurd and ridiculous calculation? For his part, if the gross amount had not come out right in the adding up, he (Mr. Croker) should be at a loss to discover how such a mode of calculation could have entered the head of any man. Now the fact was, that the wages of the marines amounted to 150,000*l.* a year in all. But the hon. member had taken the expenses of barracks (which were certainly not afloat) the contingent expenses of officers on shore, and all those he deducted from the expenses of the fleet afloat. Really if the hon. member came to this, he might as well include the 300,000*l.* lately spent in building churches, and then he might come down and say, that the whole pay of the seamen was swallowed up altogether. He should proceed in answering the hon. member, and it would surprise him indeed, if he (Mr. Hume) could contradict him in any one of his statements. The hon. member had included a charge of 2,770*l.*, the salary of the paymaster of the marines, in the sum of 600,000*l.*, which was the charge of wages for the fleet afloat. Would the House believe that this charge was not in the present estimates, but in the ordinary estimates, where the details would be fully given, and from which the hon. member must have taken it? This was one of the hon. members strongest points, and the House would see how it had failed him. If the paymaster of marines was residing in London and doing nothing, it would be

for the House to inquire into that fact when the ordinary estimates came before them, and then no doubt, a full and satisfactory answer would be given [Hear].

He was now approaching the crown of the hon. gentleman's merit. The hon. gentleman said, that he wished to reduce the marines, and to increase the seamen in the same proportion. Really, there was no pleasing some gentlemen. It was no more than four or five years ago since it was urged, that the marines being the most vital part of the navy, ought to be increased and supported. What did the hon. member for Aberdeen do? He compared the estimates of 1817 and 1821, and because he found that in the former period the number of seamen was 17,000 and in 1819 it was 19,000, he was willing to reduce the marines by 2,000 men, and to increase the seamen by the same number; so wedded was he to the glory and honour of the navy, and so anxious was he to place it on a high and commanding situation. Now the difference between the hon. member and himself was this:—They could get the marine for life, but the seaman might retire after a service of three years, or enter again as he pleased; and, therefore, though he (Mr. Croker) was anxious to support the navy, yet he would not do so at too dear a price. But how were these 2,000 sailors to be had? By reducing 2,000 marines, whose services the country might otherwise possess for life. The difference between the hon. member and himself was this. The hon. member would lay out the money of the country in a three years purchase, while he (Mr. C.) wished to lay it out in a purchase for life. The hon. member had told the House, that in 1792, the rate of charge in the navy was 4*l.* per man per month, whereas it was now raised to 6*l.* 10*s.* 6*d.* The House would recollect that the rate of charge in the navy was at 4*l.* per man per month, from 1787 to 1797. But was the navy supported at that rate? No, there was in the latter year a loan of 2,000,000*l.* to make up the deficiency. At another time the naval expenses of 1792 were compared with those of the present year; but a noble lord opposite had, with great candour and fairness, admitted that the apparent estimate was not the real one. That noble lord saw that there was something necessarily added in 1792, over which no government could have any previous control. If gentlemen would look to the Journals, they would be astonished to find the little difference between the expense of 1792, to support 16,000 men, and that of the present period. He would state one or two facts for the guidance of the House. In the year 1792, the navy estimates were 1,800,000*l.* but in that year there was a further grant of 131,000*l.* and in the same year a further grant of 805,000*l.* out of the surplus of the last year, yet notwithstanding these two grants, it was found, upon winding up the accounts of the year, that the navy was in debt 440,000*l.*; so that, in point of fact, the naval expenditure of the year 1792 was 3,176,000*l.* what was the charge at present, including half-pay, victualling, and transports? The total was 3,310,000*l.*, being a difference of not more than 100,000*l.*

He now came to the Ordnance department, the abuses in which had occupied so large a portion of the hon. member's speech. When the Ordnance estimates were presented, the House would have an opportunity of entering into the details of those alleged abuses. The sums now taken for the Ordnance were taken upon the credit of the Navy. The Ordnance reported to the Admiralty that its expenses amounted to 81,000*l.*, and over this expenditure they had no control as an admiralty. The hon. member had also objected to the appointment of naval officers to colonelcies and other grades in the marines; he had last year answered the hon. member upon this point; and after this he was surprised to hear the subject broached again. He should now repeat, that such appointments were a bond of union between the two services, which ought to be maintained; but he would take a higher ground of defence. Those appointments were honours and dignities with which his majesty was enabled to reward the distinguished services of the navy, in a more suitable manner than by conferring pensions upon them. It was an honour to our naval officers to be placed at the head of this glorious corps, whom they had often led on to battle and to victory. What was the extent of the evil of which the hon. member complained? Why, it was this:—that out of 200 flag officers, and 800 or 900 captains in the navy, there were appointments of three general officers and four colonels of marines, at the enormous and overwhelming expense of from 6,000*l.* to 7,000*l.* a year. The grievance complained of by the hon. member was

co-existent with the corps itself; which corps had originally been formed out of certain regiments who, from having made several voyages, were called marine regiments. The hon. member had stated one ground of objection to such appointments to be a fear that bad men might be advanced to them. In order to show that little fear was to be entertained on this head, he read to the House the names of the persons who had been created generals of marines; they were as follow:—admiral Boscawen, the hon. J. Forbes, earl Howe, adm. Barrington, lord Bridport, and last (and he hoped he might long continue to fill the appointment) was earl St. Vincent [each name was loudly cheered as the hon. gentleman repeated it.] Was there a danger of bad men from these examples? [Hear, hear.] The lieutenant generals [he read the commissions from the formation of the corps] were the following:—sir C. Saunders, sir H. Palliser, sir T. Pye, lord Bridport, and again, earl St. Vincent. The major-generals were—lord Gardner, lord Collingwood, sir R. Bickerton, sir G. Hope, sir R. Keates, and the name he pronounced with the greatest pleasure, sir G. Cockburn. [Hear, hear.] Not a name of them all, unadorned with honours, titles, or dignities;—many high in the peerage, all having received for their deeds the thanks of parliament: and yet this was the list upon which the hon. member would put his reforming finger, and not one of them could he touch who was not a star in the bright galaxy of British naval glory. [Cheers.] The colonels of marines were equally eminent. Why, then, did the hon. member refer to such a list? As to the general information he desired, where could he have it so well as in the committee? And yet, under pretence of wishing it, he actually did all he could to shut it out, by refusing to go into the committee. Not that he meant to express any hope that the hon. member would be satisfied in the committee. God forbid he should entertain any such preposterous expectation! But still, if the hon. member was not satisfied with what was offered in the way of information in the committee, he could move that the chairman do report progress, or discuss the whole subject on the bringing up of the report. That was the real parliamentary course for him to take. But why was he to take the whole affairs of the navy into his own hands, and insist upon being furnished with all the respective rates of pay of the officers, their particular rank, how and where employed?

He trusted he had said enough to induce the House to negative the amendment, and to wait until they went into a committee upon it. It had been wisely provided by our ancestors, that subjects should be discussed in committees of the whole House, when the fullest opportunity of obtaining information was afforded. But the hon. member for Aberdeen, anxious as he always appeared for information, appeared inclined to do all he could to prevent its being obtained. But, though it would be impolitic to furnish a general account, such as that demanded by the hon. member, yet if he wished for an account connected with any specific abuse, he (Mr. C.) pledged himself to give the fullest information upon it. But he objected to the adoption of a principle which went to overturn a great principle of the constitution. [A laugh.] He should tell gentlemen why he spoke of the constitution as connected with this measure. So great was the secresy adopted with respect to the manning and victualling of our fleet, that not even at the admiralty was it known what was to be the number of men employed, or the quantity of victualling shipped. The victualling was regulated by the destination, and that was arranged by the king in his privy council, quite independent of the board of admiralty, and, unless where the lord at the head of the admiralty happened to be also a cabinet minister, he had no means of knowing the destination of the fleet for the ensuing year: that rested in his majesty's hands, as well as the declaration of the naval force in the vote of seamen. Our ancestors, knowing that the king could not turn the fleet against this country, but that if employed at all, it must be in our defence, had wisely entrusted the management and direction of that power to him. The hon. member concluded by observing, that the amendment, if adopted, would be productive of great inconvenience in time of peace, and if acted upon in a time of war, would go to put an end to the naval power of Great Britain, and, with that, he feared, our greatness and independence as a nation. [Cheers.]

Mr. *Bennet* said, he wished to bring back the House to the real question before them, and from which the hon. gentleman had attempted to divert them, by

characterizing it, in the most high-sounding terms, as dangerous in its consequences, and alarming to the state. One of the hon. gentleman's charges was, that it was a novelty. Really, the hon. gentleman had, to use a vulgar expression, found a mare's nest. The hon. gentleman said this course of proceeding was not usual; that no particular estimates were demanded from ministers; that the practice was for the ministers to say that such a number of men was to be kept up, and that such and such a sum was required, and that the House in its confidence voted the money. True it was that this had been the course; and they might see the result of it in the extravagant expenditure, in the accumulation of debt, in the pressure of taxation, and in the murmurs and sufferings of the people. This very circumstance, this blind confidence in the ministers, and the consequent waste of the public money, was one of the articles of indictment by the people against that House. The pompous harangue of the hon. gentleman, displaying certainly much ability and ingenuity, was aimed at his hon. friend, not on account of his failure, but of the complete exposure he had made. It was on this account that the arrows of the hon. gentleman's wit, (which he knew so well how to employ there and elsewhere) were directed against his hon. friend. The hon. secretary had declared that the disclosure required by his hon. friend, though it had been shown that precisely a similar return was made to the finance committee in 1818, would be attended with great inconvenience and danger to the public service. His hon. friend had not asked to know how many men or ships were in the East Indies or the West, but that there should be a distinction between those employed abroad and at home. Even during the war there was no objection to give this sort of information as to the army; and what objection could there be to give it in time of peace as to the navy? The hon. secretary accused his hon. friend of spreading by his proposition, dismay and disorder in the naval service. He had also made some harsh remarks on his hon. friend for having described the holiday game the navy had been playing for the last twelve months. His hon. friend had said no such thing; but merely what every man of sense must see, that there was not to be as much wear and tear in peace as in war. It was true that there must be storms, and more in winter than in summer; but there were no tedious blockades to maintain before Brest or Toulon. There was no one who had a higher value than his hon. friend for the services of the navy—not the jobbing services, but the effective services.

Mr. *Croker* said, the hon. gentleman had done him more credit than he deserved, by attributing to him any wit; but the hon. gentleman had used the expression "the wit which he knew how to use here and elsewhere." Now he assured the hon. gentleman on his honour as a gentleman, that out of that House he had never taken the liberty to make the slightest sinister allusion to the hon. gentleman or his friends.

The House divided: for Mr. Hume's Amendment, 54; Against it, 144.

List of the Minority.

Althorp, lord.	Lambton, J. G.
Birch, J.	Martin, J.
Bernal, R.	Monck, J. B.
Bury, lord	Markham, adm.
Bennet, hon. H. G.	Maxwell, J.
Benett, J.	Newman, R.
Baring, sir T.	Palmer, C. F.
Crespigny, sir W.	Palmer, col.
Calvert, N.	Price, R.
Crompton, S.	Parnell, sir H.
Creevey, T.	Phillips, G.
Clifton, lord	Price, Rd.
Davies, colonel	Rickford, W.
Guise, sir W.	Ramsden, J. C.
Graham, S.	Robarts, A.
Hutchinson, hon. C. H.	Sefton, lord
Heron, sir R.	Sykes, D.
Honywood, W. P.	Scott, J.
Hobhouse, J. C.	Stuart, lord J.
Hurst, R.	Smith, hon. R.
Hughes, col.	Wyvill, M.
Johnson, col.	Wilson, sir R.
James, W.	Webb, colonel
Jervoise, G. P.	Wood, alderman
Leycester, R.	Wilkins, W.
Lennard, T. B.	TELLERS.
Lushington, Dr.	Hume, J.
Lockhart, W. F.	Bennet, hon. H. G.

On the motion, "That Mr. Speaker do now leave the Chair,"

Mr. *Hume*, in rising to move for the production of some other papers, said, he would take that opportunity of making some observations upon what had fallen from the hon. gentleman opposite (Mr. Croker) upon a former occasion. A great part of what the hon. gentleman pretended to answer, he (Mr. Hume) had never uttered; and that which he

really did utter, the hon. gentleman had altogether misrepresented. The hon. gentleman commenced his observations by alluding to him in a manner which (as far as he knew himself) he did not deserve. The hon. gentleman said, that he (Mr. Hume) had dictated to the House. If a member who in proposing a measure to the House, should endeavour to induce them to agree to it, was to be accused of dictating to the House, he could not perceive how members were to perform their duty. He did not wish to dictate; but, if possible, to persuade. He asked no member to vote for his motions, unless he convinced him by argument and facts that there existed a parliamentary ground for them. He thought he had shown a parliamentary ground for the motion which he had submitted to the House that night. The hon. gentleman had said, that all the details which he (Mr. Hume) called for would be given in the committee. It was, however, impossible for any man, even with dimensions of intellect similar to those of which the hon. member appeared to think himself in possession, to understand the details as they were brought forward in the committee. That was the reason why he now wished for a detail of the expenses, in order that the House might have time to deliberate before it came to a decision. It was true as the hon. gentleman had observed, that it was a novel practice to ask for details. But, the first detailed estimate ever presented to the House related to a branch of the naval service; and the good practice being commenced, why should it not be followed up in all the other branches of the same service. The hon. gentleman had said, that the House always placed sufficient confidence in ministers to grant them the money required for the estimates, without inquiry. Now it was in consequence of the House reposing that implicit confidence in ministers, that the debt had been created, and the country reduced to its present state of difficulty. The hon. gentleman objected to the production of the details, because he said they would show the enemy where the navy was to be posted. He (Mr. Hume) did not wish for any information of that nature. All that he required was, a statement of the number of men and officers to be maintained, and to that the hon. gentleman had offered no argument by way of objection. He had, however, said, "he would show the House how utterly ignorant this gentleman, who was always fishing for grievances and putting his finger of reform upon the navy, was, of the subjects with which he interferes." He began by saying, that he (Mr. Hume) did not know bricks from mortar; he went on to say, that he could not distinguish brick from stone; and at last he absolutely declared, that he was ignorant whether the barracks were afloat or ashore. He now held in his hands returns which would stultify all the assertions of the hon. gentleman. And here he might observe that the hon. gentleman had made no reply to the principal statement which he had made when he last addressed the House, namely, that since the conclusion of the war in 1815 up to last session, the expenditure on account of the navy was 17,700,000*l.* He would now prove, from the navy estimates, which were already before the House, that instead of 5,000,000*l.* being expended in building, 8,530,493*l.* had been appropriated to that purpose. The hon. gentleman said, that he (Mr. Hume) could not distinguish the money expended on buildings from the money expended on dock-yards; and he had asked—"Does the hon. member know that a million has been expended at Plymouth?" To that he would answer—that he did not know any thing about it, nor did he believe that the hon. gentleman who proposed the question was better informed on the subject. He would show the House the sums which had been expended in building since 1811. It appeared by the returns which he held in his hand, that the expenses for building in the yard of Deptford were 197,000*l.*; for Woolwich, 174,000*l.*; for Chatham, 482,000*l.*; for Portsmouth, 205,000*l.*; for Plymouth, 272,000*l.* Then, as for the Breakwater at Plymouth, which the hon. secretary for the Admiralty, corrected as he was by the secretary for the Treasury, stated, had cost 1,000,000*l.*; the fact was, that the expenditure on that account, as laid before the House in the estimates was only 702,000*l.* Yet this was the hon. gentleman who would attempt to put him him (Mr. Hume) right; and who had said that he did not know the difference between barracks and ships, between wood and stone! In Sheerness, it seemed we had expended no less a sum than 1,355,000*l.*; besides which there was an unexecuted estimate amounting to nearly 747,421*l.* more to complete this expensive work;

and this was altogether lavished upon a work of such doubtful policy, that the money might be considered as entirely thrown away. If the House would look to the papers of the same years, they would find that in the last-mentioned outport the total expense of buildings was somewhere about 424,618*l*., the repairs 126,000*l*., and the expenses for the merchant-yard 29,000*l*. odd. The total annual expense, as stated in those estimates, was 4,264,598*l*. in all the ports. In the year 1818 they were stated at 3,000,000*l*. and odd. Now it appeared by these statements, made from documents which had been laid before the House, that he had been correct in his calculations, and it was rather too much that in the face of them the hon. gentleman should take upon himself to say that he was incorrect. He had said that for buildings alone the country had paid in a few years under the charges for the single department of the service, 8,500,000*l*. and upwards. The hon. gentleman declared the amount was only 5,000,000*l*.; and if he could be guilty of such an inaccuracy, it was really not from that hon. gentleman that a charge of incorrectness should proceed. The whole charge, therefore, which he (Mr. Hume) had been discussing, was, including repairs, 17,000,702*l*. If the hon. gentleman was not satisfied of the fact, he (Mr. Hume) would on Monday move for all the estimates in question; and the hon. gentleman himself should have the opportunity of laying them on the table.—It would be in the recollection of the House that he had already stated his impression, that if such enormous sums of money had been expended in order to keep our ships afloat, parliament had a right to expect, under the recommendations of the finance committee, that the expenditure in that department would now be reduced as low as possible. It was obviously quite impossible that government could expend all these sums in a fair and proper manner, under present circumstances: they could not, indeed, expend such monies, unless they pulled ships to pieces, and afterwards built them up again. —The hon. gentleman with a most extraordinary perversity of intellect, had chosen to allude to what had fallen from him (Mr. Hume) in the course of the evening and had said, that he supposed he (Mr. Hume) wished to pass Cape Horn, in hoys of 17 tons burthen. But, in fact, he had never said so, however the hon. gentleman might have stated the matter; and when he talked of his (Mr. Hume's) having forgot his geography, he himself, like many of his countrymen, seemed altogether to have forgotten that science. The fact was, the hon. gentleman had attempted to pervert every thing which he (Mr. Hume) had said in the course of the debate. Far from wishing, as had been imputed to him, to weaken or cripple our navy, in such a manner as to leave us, in the event of a war, exposed to the naval superiority of any other power, he had merely expressed his desire to call for returns of the number of flag-officers, captains, and of the whole of our naval establishment, in that usual form in which such returns had been repeatedly ordered to be made on former occasions. He wished particularly to know why the expense of victualling the navy should be at this time nearly the same as it was in former periods, when the prices of provisions were 50 per cent higher than at present. There was, in fact, some reduction in the charge, but it was only 15 or 20 per cent, whereas the alteration in the prices was 50 to 80 per cent; where the consumer used to pay 12*l*. 6*s*., he now paid 6*l*. 5*s*. only; such was the difference in some of the articles. It was totally impossible for any person opposing ministers in the way which he was obliged to adopt, to proceed upon any other information than what was contained in the returns made to the House. Some time since he moved for all the papers connected with the expenses for the navy in its various branches, from the year 1795; and when the hon. gentleman said that extracts which were quoted from those estimates were incorrect, he did, in fact, contradict his own signature. On one occasion, to be sure, he had admitted that a particular item was correctly taken from an official return; but then, he added, "that return though sent in, was incorrect." He (Mr. Hume) had also moved for the amount of supplies voted for a series of years, for the sevice of the United Kingdom, including the army, navy, and ordnance. By the returns he found that, in the year 1792, the number of men voted was 16,000, and that the supplies voted for them, and for the sea service, instead of amounting, as the hon. gentleman said they did, to 3,400,000*l*. amounted to 1,485,955*l*. only. Now, either this was a correct return or estimate, or it was not: if it was

not correct, the House would not at least blame him (Mr. Hume) for its errors.—The hon. gentleman had said something about the current debt. It was not necessary for him, in reply, now to produce the statements which had been given to the House of the amount of the navy debt on the 25th Dec. 1791; and of its amount on the 1st of January 1793. There might have been, for aught he (Mr. Hume) knew, different statements of these amounts given to the House; and that might be the cause why he and the hon. gentleman were at issue on this matter; but the Journals of the House answerably showed, that 230,000*l*. was the whole increase on the debt in 1792-3. The hon. gentleman talked of their having reduced the amount of the debt very considerably—to the amount of some millions; but supposing even that the expenses of the navy in 1792 were 15,000,000*l*., that fact would have nothing to do with the motion which he was now about to submit—a motion having for its object simply an explanation of the large items which were now brought forward for the approbation of the House. The hon. gentleman had promised to detect and point out his (Mr. Hume's) blunders; but excepting in two instances, the paymaster and the buildings, in both of which he had been misled by erroneous returns, the hon. gentleman had not discovered any blunder whatever.—Surely he had now said enough to show why it should be demonstrated to the House how much of these sums were to be applied for the charge of marines: how much for seamen and so forth. He implored the House to assist him in procuring these explanations from ministers, because he felt assured that the items in question covered other matters and expenses besides those which were named, and which they were afraid to have brought forward.—With regard to all that had fallen from the hon. gentleman about our naval glories, it was a second edition of our galaxy of stars, our unrivalled heroes, and so on—of which the hon. gentleman never failed to make mention. But why did he indulge in these topics? Every body admitted the splendid services of a Nelson and a St. Vincent; but what had they to do with the question of sinecures held in this department? The hon. gentleman, in a truly Irish way, had answered himself, as it were, before he had made his own statements on the matter; for he set out with saying, that he admitted the principle of sinecures was bad. It was bad; and a much better and more honourable system of remuneration might be devised. No one would say that that House had ever shown an unwillingness to reward merit, wherever merit had been displayed in the service of the country. He was so little read in the sinecure list, that he was not very perfectly aware of the characters of many who were placed upon it. But it was sufficient for his case if it could be shown, that during the last ten years one improper person had been admitted upon it. The present was the most proper period for wiping out all sinecures, if possible. Every gallant officer might be sure of being rewarded for the future for his merits. But the hon. gentleman said, that this was the most honourable, the most proper, the most gratifying mode of reward—that it formed a bond of union among all who experienced its effects. Perhaps, therefore, a pension of 1,500*l*. a year, granted to an admiral who never mingled with his corps, as he might call this service, was the bond of union which bound him to it notwithstanding [A laugh!]. Again he intreated the House not to vote away the public money without some knowledge of its destination. They had been too long in the habit of granting such votes in confidence; and the effects of their confidence should teach them to withhold it for the future. They were now called upon to vote in this way 200,000*l*. more this year than they had voted last year; whereas the low prices of provisions, and other causes, required that the vote should be very considerably less. He should now move, by way of amendment, "That there be laid before the House, a return of the price of provisions of each kind supplied to the navy in the years, 1813, 1817, and 1821, and the value of one day's ration, stating the several articles in each of these years: also, a statement of the manner in which 532,350*l*., estimated for the victuals for the navy for 1822, is to be expended."

Mr. *Croker*, reminded the House, that he had commenced his former speech by saying that the ordinary vote was about 1,900,000*l*., but in the course of that speech he had added, that if hon. gentlemen would refer to the estimates, they would find that a further sum of 1,000,000*l*. was appropriated from other services. Therefore this blunder must rest with the hon. gentleman, and not with himself. He

could not understand what ground of complaint the hon. gentlemen had against the returns made to that House. He had asked for a return of the whole expenses of the marine corps, and when that had been made out in conformity to his order, he was not satisfied, but again asked for what he called "the total of the whole." He begged to refer the hon. gentleman to the Journals of the House: where he would find that the account given by him (Mr. Croker) of the estimates of 1792 would turn out perfectly correct.

The House divided: for the Amendment, 54. Against it 158.

Althorp, lord	Maxwell, J.
Bury, lord	Martin, J.
Bernal, R.	Nugent, lord
Brougham, H.	Normanby, lord
Barrett, S. B. M.	Newman, R.
Bennet, hon. H. G.	Pryse, P.
Baring, sir T.	Palmer, C.
Chaloner, R.	Robarts, A.
Calvert, N.	Roberts, W. A.
Crespigny, sir W.	Robinson, sir G.
Crompton, S.	Ricardo, D.
Creevey, T.	Ramsden, J. C.
Fergusson, sir R.	Stuart, W.
Graham, S	Sykes, D.
Guise, sir W.	Sefton, lord
Haldimand, W.	Scott,
Hutchinson, hon. C. H.	Stuart, lord J.
Heron, sir R.	Smith, hon. R.
Hobhouse, J. C.	Wyvill, M.
James, W.	Williams, W.
Johnson, col.	Wilkins, W.
Jervoise, G. P.	Wood, alderman
Leycester, R.	Webb, Col.
Lambton, J. G.	Wilson, sir R.
Lennard, T. B.	TELLERS.
Lushington, Dr.	Hume, J.
Monck, J. B.	Davies, Colonel

The House having resolved itself into a committee of supply, to which the Navy Estimates were referred, sir J. Osborn moved, "That 21,000 men be employed for the Sea Service for 13 lunar months; from the 1st of January 1822; including 8000 royal marines.

Mr. *Hume* said, he must again ask what were the circumstances of the country which required that there should be 2000 men now more than in 1817, for the same purpose? The reductions that had been made in the Navy were not owing to the economy of ministers, but to the death of Buonaparte. The number of the marines he thought disproportionate with the number of seamen, and he should, therefore, propose as an amendment, that "19,000" be substituted for "21,000."

Sir *G. Cockburn* said, that on the opening of a former war the country had suffered materially from the want of a sufficient number of marines to man the Navy with. The consequence was, that they were obliged to employ soldiers to their great dissatisfaction; and to the detriment of the service; for they were all sea-sick as soon as they got out to sea. Upon this it was thought better to keep up a large number of seasoned marines, who in peace might be employed in doing garrison duty in the sea-ports, and in the event of war, be ready to man the service. The Admiralty did not want to increase the number of seamen for the service of the ensuing year, and they were loath to diminish the body of marines. They might have been able to reduce more, had it not been for the increased demand from South America and the Mediterranean; and it should be remembered, that out of 13,000 seamen, 1,500 were employed round the coast for the security of the revenue.

Sir *I. Coffin* expressed his conviction of the propriety of maintaining the marine corps at as high a rate as possible. It was obviously desirable that young men should be educated for the public service; for in the event of a new war was it tolerable that the defence of the country should be entrusted to such old men as himself, who had served forty years in the Navy, and who were scarcely able to step over a three-legged stool.

Mr. *Bennet* said, he should like to be informed why 8,000 marines were now to be kept up? Was a war now more probable than in 1817? In 1822 the peace establishment was larger than in 1817, while the country was labouring under increased distress. The difference was at least 200,000*l.* in the naval departments; yet, from 1817 downwards, the same empty promises of economy had been given, and the same constant neglect of them shown. There was the same pledge of economy, and the same practice of profusion. Why did not the country gentlemen, when so many opportunities were afforded, discharge the engagements they had made to their constituents, instead of trusting to the chance of a long parliament, and the amiable forgetfulness of their friends. He wished that the people of England could look into the House of Commons. Nothing under heaven could give him greater satisfaction; for it would save posterity from the innumerable calamities threatened by ministers. If the

eye of the public were steadily kept upon their representatives, there might be at least a chance of a remedy. The people of England did sometimes learn who voted on the opposition side of the House. Would to God they could see the votes on the side of ministers! That God-send, a list of a ministerial majority, would bring the nation to its senses, and ought to be posted throughout the kingdom. It would then be seen why, in 1822, a larger sum was to be voted than in 1817. He had some faint hope that gentlemen who had been so lavish of their promises out of doors would give some specimens of the performance of them within doors.

Sir *G. Clerk* said, that if hon. members would look to the other parts of the navy estimates they would see there was a reduction equal to two millions. He hoped the House would not reduce any part of that useful body of men, the royal marines.

Mr. *Hume* said, that the estimate for 1817 was 5,985,415*l.*: at present it was 489,550*l.* less; but how did this show that there was a saving of 2,000,000*l.*?

Mr. *Croker* said, the hon. gentleman had omitted to take into his consideration 671,000*l.* the produce of old stores, which was taken in aid of the vote for the year 1817, and which in point of fact was devoted to the public service of the year, although it did not appear in the supply for the year.

Mr. *Hume* pledged himself to prove that the hon. gentleman was in error. He had added the sum of 671,000*l.* instead of deducting it, as he ought to have done.

The committee divided: For the Amendment, 53. Against it, 157. On the resolution, "that 532,350*l.* be granted for victualling the said 21,000 men,"

Mr. *Hobhouse* said, he saw very clearly that ministers intended to refuse every kind of information that could enable the House to investigate the subject. All propositions for inquiry were met by a direct negative, supported by the ordinary ministerial majority; and as this course had been pursued quite long enough for one night, he would move "that the chairman report progress, and ask leave to sit again."

Upon this, after a short conversation, the Committee divided: Ayes, 47. Noes, 147.

The resolution was then agreed to.

HOUSE OF COMMONS.

Monday, February 25.

BREACH OF PRIVILEGE—OPENING OF LETTERS ADDRESSED BY OR TO MEMBERS.] Mr. *James* begged to call the attention of the House to a violation, as it seemed to him, of the privilege of its members. There was a gentleman confined in the gaol of Lancaster, who had terrified government by attending a reform meeting in 1819, whose letters, from prison, to him (Mr. James) had been broken open; and his letters to that gentleman had experienced a similar treatment; one letter, indeed, had been withheld altogether; and a copy only delivered in its place. Petitions forwarded to be laid before the House had shared the same fate with other communications; and, strange as the decisions of Parliament had been, it would hardly sanction so gross a proceeding. Upon the effect of the practice it could not be necessary to say a word. The most signal injustice—the most atrocious cruelty—might be committed in prisons, under the operation of such a system, and no means of complaint would be open to the sufferer. It might be urged, perhaps, that prisons were visited by magistrates, and that to those magistrates, if necessary, complaints might be addressed; but, let it be remembered that in one gaol at least (Ilchester), cruelty and torture had been inflicted upon prisoners, notwithstanding the visits of such appointed magistrates; and that gentlemen had risen in the House to eulogize the character of the manager of that institution, unconscious of the conduct of the man of whom they were speaking. As far as he had been able to learn, this inquisitorial practice of opening letters had originated in the wish of some Lancashire magistrates to pry into the secrets of the advocates of parliamentary reform. Inquiry being made into the legality of the course, those magistrates laid a case before counsel, and obtained an opinion, that the proceeding was lawful: they then, from having merely desired the gaoler to open certain letters, added a formal regulation to the rules of the prison, that all persons confined for peculiar offences should be subject to an unqualified inspection of their correspondence. Now, that such an order was contrary to English law, he had no doubt. The 9th of Anne, commonly called the Post-office act, declared that no person should presume to open a letter unless by

warrant from a secretary of state; and in support of that enactment might be quoted the circular of the late secretary for the home department, dated 9th of November, 1814, decidedly stating to gaolers, that such an act was not warranted by law. The proceeding, he contended, was in direct violation of that clause in the Bill of Rights, which said that the law of the land should not be dispensed with, unless by the authority of parliament. He knew that some reliance had been placed upon the act of the 32nd George 2nd; but he could find nothing in that act to justify a magistrate in doing that which was contrary to law. That act referred to persons who were imprisoned for debt. Its preamble set out with recognizing the hardships to which persons so imprisoned were sometimes exposed by the oppression of gaolers, and it enacted that proper rules should be made for the regulation of persons imprisoned; but, though certainly the letter of the act referred to persons imprisoned for debt, yet the spirit of it was humane, and it went to alleviate, not exasperate, the sufferings of any class of prisoners. But before those regulations were made, as well as since, the letters of prisoners were opened in this prison, which showed how little respect there was for the law, by those who thought it for their interest to violate it. This, he believed he was safe in saying, was a practice unknown in any other gaol in the kingdom. It was not practised at Ilchester gaol, even towards Mr. Hunt, whom the attorney-general had described as guilty of a crime little short of high treason, but whom he (Mr. James) would always consider as severely persecuted; for he would maintain that he had rendered great services to the cause of humanity, in the recent investigation, to which his exertions had contributed; but even in the case of Mr. Hunt, the magistrates of Somerset had not made a regulation by which his letters were to be subjected to inspection—a regulation which he should ever think most inquisitorial and unjust. Whatever opinions might be held on the subject elsewhere, he would say, that the practice was illegal; and in support of his opinion, he had the authority of a great politician and an able lawyer, whose name he was sure would carry great weight with the House. He alluded to the late sir S. Romilly. That able man, in presenting, in the year 1812, a petition from a prisoner confined in Lincoln gaol, complaining of having his letters opened, had stated, that he knew no statute law which authorized such a practice, and that certainly no such right existed by common law. He had stated as a lawyer, that the magistrates had no such power. They had no right to interfere with the prisoners. They were in the custody of the high sheriff, whose duty it was, not merely to precede the judges of assize, with men bearing white staves, and others sounding trumpets, but to attend to and provide for the comforts of the prisoners in his gaol; for they were in his custody, and not in that of the magistrates. This was the opinion of sir S. Romilly; and, fortified with that opinion, he contended that he was fully borne out in describing the conduct he had alluded to as illegal. But, if it should be contended that the 32nd of George 2nd gave the power in question, the sooner it was repealed the better. As to the question whether this was a breach of privilege, it was at first his intention to have brought the matter before a court of law; and he was satisfied that before an impartial judge, and any twelve honest men, he should have got a verdict; but when he heard from so many excellent authorities, that the matter was a violation of the privileges of the House, he felt that he should not be discharging duty if he did not bring the subject before it, satisfied that in supporting the privileges of that House he was also maintaining those of the people. The hon. member concluded by moving, "That it is the opinion of this House, that any person breaking open, detaining, or suppressing, any letter or letters addressed by or to Members of this House, is guilty of a direct breach of the privileges of this House."

Lord *Stanley* did not see on what ground the motion for declaring the opening of a letter from a prisoner to a member of parliament a breach of their privileges, could be sustained. A similar question had been started last year, and referred to a committee of privileges, and he had never heard that they felt it incumbent upon them to bring the subject forward. That the practice complained of would, under some circumstances, amount to a breach of moral justice between man and man, no one could deny; but there were limits to the privileges due to letters, and when he found that even the judges of the land, were strongly in favour of the practice complained of, he could not think that there were sufficient

grounds for assuming that a breach of privilege had been committed. One of the rules ordered, that the keeper of the gaol should examine all correspondence carried on by prisoners on the Crown side, and not forward any letter which contained improper matter without showing it to the chaplain or one of the visiting magistrates. When the letter was submitted to the proper persons, if the letter came to a prisoner, he was sent for, and the unexceptionable parts were read to him; if the letter was written by a prisoner, he was told what were the exceptionable parts, and had the liberty of re-writing that which was not offensive. This rule was ordered by Mr. Justice Bayley, and he believed was in the hand-writing of that learned judge himself; and the whole of the rules were sanctioned by Mr. Justice Bayley and Mr. Justice Park. Therefore, upon a general view of the question, whether the gaoler was justified in opening the hon. member's letter or not, he firmly believed that he would not have done his duty if he had not examined its contents. Whether the mere fact of the frank of a member of parliament went to alter the operation of the prison rules, was a question which others might be more able to determine; but, for his own part, he certainly did not think it did. How was it possible for members always to know what their franks contained? They might become the means of conveying matter the most improper in its nature, and dangerous in its consequences. Upon the hon. member's own showing, he thought there was nothing in the present case which called for the interference of the House.

Mr. Secretary *Peel* observed, that if he understood the hon. mover, his object was, to establish two propositions; first, that the opening of a letter franked by him was illegal; and secondly, that it was a breach of the privileges of the House. If he should be able to disprove both these points, he apprehended there would be an end of the hon. gentleman's case. Before he proceeded with his argument on the first point, he could not but express his surprise at the opinion of a learned gentleman (Mr. Brougham), on a former evening, as to the opening of letters sent by convicts on board the hulks; and he thought that, on a little more mature reflection, the learned gentleman would not himself persist in the opinion then given. It would not be denied, that by far the greater portion of the persons detained on board the hulks were civilly dead, possessed no civil rights, and therefore that the government would be justified, not only in ordering the inspection of their letters, but in prohibiting all communication with them. However, the proposition of the hon. member this night was a different question. It went to show that a certain regulation for the better government of the gaol of Lancaster, which had been sanctioned by his (Mr. Peel's) predecessor in office, was in its operation illegal. Now, he would show the contrary. What was the nature of the regulations of Lancaster gaol? Here the right hon. gentleman repeated the statement given by lord Stanley, as to the authorities by which the regulations were sanctioned. The first impression of the House, after hearing such authority as that of two judges of the land sanctioning those regulations, should be, he imagined, a presumption that they at least were not illegal. The hon. member had referred to the 32nd of Geo. 2, but he carefully left out of his view the 31st of Geo 3. By that act it was enacted, that fit and proper regulations should be drawn up for the better government of gaols and other places of confinement, in England and Wales; and it added, that those regulations should be drawn up by the same authorities as those mentioned in the 32nd Geo. 2. And who were those authorities? The magistrates of the counties. It further added, that the regulations to which they might come should have force, when sanctioned by the judges of assize, who were authorized to revise them. This was done in the case of Lancaster gaol. The magistrates drew up and agreed to certain regulations for the better government of the county gaol. These were submitted to the judges, by whom they were examined, and, with some alterations, sanctioned and approved. Would it, after this, be said, that they were illegal? He should be wantonly trespassing on the time of the House, if he dwelt longer on the question of legality. Supposing it, then, admitted to him, that this regulation was a legal one, the next question was, whether the exercise of the rule was, in the case alluded to, a breach of the privilege of parliament. Now, if parliament sanctioned the enactment of the rule, he could not see any thing in the case of a member of parliament which should exempt his letters from being opened, where that was war-

ranted by the law of the land. Now, taking it as granted, for the sake of the argument, that the view which he took of the construction of the act was a legal one, upon what did the authority of the regulations rest? Here they had it, that the House of Commons, one branch of the legislature, had declared, by a bill which was passed into a law by the concurrence of the two other branches, that certain regulations for the government of gaols and other places of confinement should be binding, when sanctioned by the authorities there specified. Would it, then, be maintained, that after thus sanctioning such rules, without any reservation as to their own privileges, such exemption now existed? He contended, that where the authority was given, as in this case, he maintained it had been given, it could not be revoked except by another act; and until that act was passed, any regulation under the former would not amount to a breach of privilege. The attention of parliament had formerly been called to the question of privilege, with reference to the letters of members; but, before he proceeded with that, he would make a few remarks on the subject of a letter sent by lord Sidmouth to the gaoler of Gloucester gaol, on the subject of opening letters addressed to prisoners. The letter was written after a complaint made to the Lords on the part of a debtor, and a person accused of a misdemeanor, but not tried, that letters addressed to them had been opened by the gaoler. Lord Sidmouth, after consulting with the law officers of the Crown, sent the letter in which it was said, that a future regulation would apply to "felons and fines." Now he was satisfied that the word "felons" here was a mistake for the word "debtors." How the mistake occurred, whether in the copying or printing, he could not say; but of this he had no doubt, that "debtors" should have been mentioned and not "felons." He had just said, that the attention of parliament had been formerly called to this subject. In the year 1735, a complaint was made, that letters addressed to members had been opened; and that postage was claimed, but this complaint referred to letters put into the post, and in that case there could be no doubt that it would be a gross breach of privilege. But, was that a case at all in point? was it in any way analogous to regulations made by magistrates to prevent a letter being put into the post? He maintained it was not. The House of Commons never considered that they were exempt from the operation of the law. They resolved on that occasion, that it would be a gross breach of privilege for any agent of the post-office to open a letter of a member of parliament, except by a warrant of a secretary of state. Thus they clearly recognized, that in cases where it might be necessary for a secretary of state to order the opening of a letter, their own privilege was not reserved. He was satisfied that the same feelings would prevail here, and that the House would not claim any privilege which would interfere with the criminal justice of the country. The opinion of Mr. Justice Blackstone was, that the privilege of a member of parliament did not extend to exemption from arrest, in cases of indictment. All the civil rights and exemptions which they had formerly claimed were gone, except that of the freedom of their person in civil cases, and the freedom of their letters. Where the regulations alluded to were authorized by law, there was no presumption of such an unlimited correspondence in any way as could have the effect of revoking these regulations. Whatever right of personal communication a magistrate might have with prisoners, a member of parliament, as such, had none: he had no right to insist upon such communication, but certainly all correspondence should be controlled by the regulations which were necessary for the discipline and proper management of the prison. Under all the circumstances, he saw no ground for the interference of the House, and would therefore conclude by moving the previous question.

Mr. *Bennet* said, that if he understood the right hon. gentleman right, he had laid it down as the law of the land, that magistrates, when their regulations were sanctioned by judges, had a right to legislate for gaols, and that they could not only enforce, but aggravate punishments, by placing persons in solitary confinement. Now, the magistrates might make regulations, and the judges assent to them; but such regulations could only relate to the hours of labour and of diet, and such matters. The magistrates might take care that the prisoners had all the advantages consistent with their situation and sentence, but beyond that they had no power at all. He would put it to the House, whether a judge had a right to increase the term of

a sentence from one year to five, and solitary imprisonment? The act referred to by the right hon. gentleman was a penitentiary act, and was not applicable to gaols in general. But, if the magistrates had a right to legislate for the discipline of prisons, then there was an end to all the labours of their committees. In the case in question, the letter was addressed not to a felon but a fine; so that the construction of the right hon. gentleman would not apply to it, and consequently the opening of it was an illegal act. On this subject he would refer the House to the report of the committee in 1735. The first resolution of that committee declared that it was the privilege of members, that letters sent by or to them, should pass free of postage. The object of this privilege was evidently not for the purpose of saving two-pence or three-pence, or seven-pence, but because it was essential that members should have a free and unrestrained communication, not only with their constituents, but with the people at large. The next resolution of the committee was, that it was a high breach of the privileges of parliament for any post-master to open any letter sent from or to a member, unless under a special warrant signed by the secretary of state;—not a general order, such as that which had been given on a recent occasion. One of the principal objects of this privilege was, to facilitate the knowledge, and consequently the redress of grievances. And in what place was the existence of grievance more to be apprehended than in gaols? Who that knew the efforts that had been making during the last eight or ten years to improve the condition of our gaols, and compared their present state with their state before that period, but must feel that grievances without end must have existed in gaols; and therefore that it never could have been intended by the legislature that all complaints proceeding from gaols and addressed to members of parliament should be interrupted and suppressed? The present was a signal case of improper interference, for his hon. friend had written to the gaoler to tell him that the letter was from himself. He was not surprised that the right hon. gentleman had been apprehensive of meeting this motion with a direct negative, and had preferred the previous question; but he was sure that his hon. friend had done good in bringing the subject forward, and that the discussion of it would cause the correction of a great abuse.

The *Attorney General* said, that though he was fully prepared to admit, that neither the magistrates nor the gaoler had a right to increase the punishment of any individual beyond the degree mentioned in the sentence of the court, still he was prepared to argue that they had a right to make such regulations as they thought proper for the internal government of the prison, liable, however, to the subsequent confirmation or rejection of the judges of the assize. Now, a set of regulations having been agreed to by the magistrates of Lancashire, and subsequently approved of by the judges, it became the duty of the gaoler implicitly to obey them. Indeed, the gaoler would have been guilty of a gross dereliction of his duty, if he had obeyed the hint given him in the letter of the hon. member for Carlisle, and had refrained from opening the letter sent to the prisoner under his custody. In the case of the Gloucester gaoler, he took upon himself to stop the letters of prisoners, without orders from magistrates. The letter of lord Sidmouth written upon that occasion, was not a circular. It was transcribed by some of the magistrates of Somerset, and afterwards entered upon the journals of Ilchester gaol, where Hunt found it, and supposed it to have been a circular. Would any member say, that he had a right to enter into any gaol in the kingdom, in order to hold communication with those confined in it. Now if hon. members had not a right to communicate personally with all persons confined in gaol, how could they have a right to communicate with them in all cases by letter? As to a breach of privilege, he was quite confident that none had been committed.

Mr. *Bernal* contended, that the absence of all exceptions in the statutes which had been quoted, saving the privileges of members, was a proof that it was not supposed that the general rule, by which those privileges were secured to them, was affected. If this privilege were not maintained, cases of great severity might exist in prisons, which would never be known to the world. It would be far better to suffer the danger and inconvenience of a solitary instance of an improper use of the privilege, than the much greater danger and inconvenience of preventing acts of oppression from being brought to light. In his opinion, there ought always to be the most free and unrestrained communication between

the people and their representatives, under whatever circumstances the former might be placed.

Sir *R. Wilson* trusted, that parliament would not allow its privileges to be got rid of by the regulations of any set of magistrates. He was no great stickler for precedent; but he had found one peculiarly applicable to the matter before the House. In the first year of William and Mary, it was resolved by the House, that the breaking open a letter sent by, or directed to, one of its members, was a gross infringement of the privileges of parliament. After such a resolution, there could be no doubt of a breach of privilege having been committed in the present instance. When hon. members read the report of the commissioners on the state of Ilchester gaol, they would discover an additional reason for not allowing the letters of prisoners to be intercepted; for they would see, that there was no longer any great confidence to be placed either in gaolers or in visiting magistrates.

Mr. *Wynn* maintained, that neither a breach of privilege nor of the law of the land had been committed. That the law of the land had not been infringed, was clear from the act of queen Anne, on which so much stress had been already laid. That the privileges of the House had not been violated, was also evident from this—that the resolutions to which allusions had been made only referred to the delivery of letters by the post. With regard to the resolution of 1689, the circumstances which had given rise to it ought to be taken into consideration. The House had come to that resolution in consequence of the governor of Hull having seized upon the mail bag, and opened all the letters it contained, among which were some written to and by members of parliament. Now, it ought to be recollected that this event had occurred shortly after the Revolution, at a time of great public alarm and confusion; and that, though the House had come to such a resolution as the hon. member for Southwark had described, it had not inflicted any punishment upon the offender. Indeed, the House was bound to consider, in reference to the present question of privilege, what were the powers of magistrates and gaolers before the acts of George 2nd and George 3rd. Before that time they had the power of adopting all such regulations as appeared to them necessary for the safe custody of their prisoners. The judges could give no connexion or relative of the prisoner an order of admission into the gaol: all that they could do was, to recommend to the gaoler to allow such and such a person admittance; advising him at the same time to take all due care that the prisoner did not escape. They had even the power, cruel and odious as it was, of placing individuals in solitary confinement; and having such power, was it likely that they would not have the power of intercepting their correspondence? Indeed, it appeared to him that nothing might be more necessary than such a power: for by means of it, a prisoner's intention to escape or to give information to his accomplices might be effected; nay, to put an extreme case, poison might be sent to a prisoner in a letter to enable him to evade the execution of the law; and certainly against such a catastrophe it was the duty of the gaoler, if possible, to provide. He must see evidence of much greater abuse than appeared in the present case, before he could consent to interfere.

Mr. *Brougham* begged to make a few observations on what had just fallen from the right hon. gentleman. He confessed he had been anxious to hear what could be said by the right hon. gentleman, well known formerly on his side of the House, and now he trusted to be as well known on the other side of the House, as the strict and vigilant guardian of the privileges of parliament. Since he had heard the right hon. gentleman, however, instead of being weakened, he had been strengthened in his opinion on the subject; as he knew that he had now heard all that could be urged by learning or legal ingenuity. In the first place, he must protest against the doctrine of the right hon. secretary of state, as to that which ought to be considered the test and limitation of the privileges of parliament; namely, that that privilege did not interfere with any act done legally by any established authority; that if, for example, the justices of the session, sanctioned by two of the judges, were empowered by law to make certain regulations for the conduct of gaolers, those regulations were to ride over the privileges of parliament; although there was nothing in the act by which that power was conferred respecting those privileges, except the omission of any clause by which they

were saved. Such did not appear to him (Mr. B.) to be a sound construction of the statute. The sound construction was, that nothing in the statute should infringe the privileges of that House. The sound construction of the statute was, that if the two things could stand together—if the regulations could be inforced, and the privileges of parliament maintained, it was well; but if not, that as those privileges were not expressly taken away by the statute, they must be considered as untouched, and not liable to infringement. For to what a monstrous doctrine would the right hon. secretary's argument lead! According to the right hon. secretary, the bench of justices would have nothing to do but to obtain the sanction of two of the judges, and they might establish regulations involving the grossest violations of the privileges of that House. In such a case, the right hon. secretary would exclaim, "Oh, but this is no breach of privilege; for by the act, the magistrates are authorised, with the sanction of two of the judges, to make any orders they please, and the privileges of the House are not saved in the act." Now, the sound doctrine, as he (Mr. B.) contended, was directly the reverse of this. The sound doctrine was, that, unless the privileges were expressly waved by the statute, nothing the magistrates could do should be allowed to infringe them; and, therefore, he should always read any order of the magistrates, with an exception, saving the privileges of parliament, which the statute gave them no right to violate.—Another strange doctrine which had been held was, that the privilege of the House, with respect to letters, went only as far as their delivery from the post office. But it appeared from the resolution of 1735, and from the history of the proceedings of those times, that the complaint did not extend to the post-office alone. He should like to know what was the peculiar nature of the post-office, which could confine the privilege of parliament to all letters which passed through it. If it was a breach of privilege to open member's letters in the post office, why not in other places also? The resolutions must in substance and in spirit mean this—that all communications between members should be free and unrestrained—that the doors of parliament should be opened to all complaints on the part of the people—that the utmost confidence should exist between the House and the country. But this could not be done, if any steps were taken (he cared not whether by a sheriff, a gaoler, a post-master, or what other public functionary), to interrupt or stop this wholesome and salutary communication. If any thing had been wanting to support this part of the argument, it had been fully supplied by the president of the board of Control (Mr. Wynn). The right hon. gentleman had alluded to the conduct of the governor of Hull, in sending for the bags and opening the letters. Now, in that case, the complaint was made by the deputy post-master, that the said colonel had opened and embezzled the letters of the king's subjects, to the destruction of the trade of the place, and to the injury of several merchants, and amongst others, many members of parliament who lived near the place. Let it be observed, that here was no complaint of breach of privilege on the part of the members alluded to.—Now the first complaint of breach of privilege was brought, not against, but by a post-master, and against a military officer. It would be for the gentlemen opposite to tell the House by what magic it was, that the privilege of parliament was to be preserved in those letters which passed through the post, but that, in the event of their being opened by a gaoler or other person after delivery, such privilege was to be done away with. But they were told by a right hon. member, that this privilege was liable to abuse. To be sure it was; and so was every other privilege; but was that an argument why it should be abolished? Where was there any privilege affording a greater opportunity of abuse than that which protected members from arrest for debt? This privilege had been abused to an extent, that exceeded all comparison with the present question. He himself was acquainted with one case. It was that of a member, not of the present, but a former parliament, who was deeply indebted to many individuals, who (notwithstanding that he possessed ample property to pay his debts) were ruined by the shelter which his privilege afforded him. For when the creditors proceeded against his property, which they thought they could reach, though his person was safe, he made it over to a relation in trust, so that it also was protected; and the creditors were ultimately sent to that prison which ought to have been the destination of him who had made this fraudu-

lent conveyance. This was undoubtedly a strong case; but, would any one pretend to argue from this, that the privilege of freedom from arrest ought to be done away with? Surely not. The learned member here referred to another case, in 1727, where the post-master complained that members were in the habit of receiving numerous letters (for the privilege of franking was then almost unlimitted) which did not concern themselves or their families, to the great detriment of his majesty's revenue. But, what was done in consequence? Was this privilege done away with—was it curtailed? No such thing. All that was said by the Crown was, that it was expected members would take the necessary steps to prevent a recurrence of the abuse. Gentlemen must not argue from the use to the abuse: they must not do away with the privileges of parliament, because there was a possibility of its being carried to excess. If an abuse was found to exist, let it be pointed out; and if after that the necessary steps were not taken to remedy it, then and not till then was it time for parliament to stop it by a declaration of the House; or if the abuse was found to overbalance the advantage, to abolish the privilege altogether, as they had done other privileges which had been found to have a similar tendency. But there was no fear of the present privilege being carried to excess; there was no fear that it would extend beyond a fair statement of the grievances of the people, or a prayer for the redress of the wrongs under which they laboured. If this was a right to be enjoyed by the community generally, how much more necessary was it that it should be extended to those who were under the strong arm of power? For, after all, law was power; and while men were men, and prisons were prisons, the power vested in those who had the charge of prisoners, was likely to be abused. It was, therefore, absolutely necessary that the inviolability of all communications from persons so situated should be religiously and sacredly observed. It was for these reasons, notwithstanding the two venerable names which he saw attached to the regulation of the magistrates, that he felt inclined to pause before he pronounced, as perfectly legal, even upon their authority, a document, which went to render the confinement of convicted persons more severe, and their punishment more acute and galling.

Mr. *Horrocks* referred to several high authorities, to show, that it was lawful for a gaoler to keep every prisoner (who was committed in execution) in close custody. The person whose case was under discussion had been convicted of a very serious offence, and more than ordinary caution was highly necessary. There was a case within his own knowledge which had come before the grand jury of the county, which showed that the power in question was not given to gaolers without abundant reason. A prisoner had sent a letter to one of his acquaintance; the gaoler suspecting that the communication was of an improper nature, opened the letter, and it was found to contain a statement from the prisoner of false facts, affecting to refresh the memory of his friend, who was to be a witness on his trial; and adding, "mind you stick to this, and don't flinch." This circumstance showed the great danger of subornation of perjury; and of which a member might be made the innocent medium. The rules applicable to the case in question, had not been adopted by the magistrates hastily or unadvisedly; and the gaoler himself had been provoked into an adherence of them by threats. As far as he could judge, the present case did not involve a breach of privilege.

The Marquis of *Londonderry* said, that the case divided itself under two heads—the one was a question of law, the other of privilege. If there had been any offence committed against the law, no determination which the House might come to could deprive either the hon. member, or the prisoner who had written the letter in question, of a legal remedy. If a legal offence had been committed, redress might be obtained before the proper tribunal, and in the mean time no possible prejudice would be done to the party injured, by the House not interfering. He put the case as if the regulations of the magistrates, and the use of them on the present case were against law; but the hon. and learned gentleman must forgive him, if he said that he thought the law had not been violated. He thought that, upon the face of the case before them, there was enough to raise at least a very strong presumption that the regulations were sanctioned by law—and here he would say, that the law ought to prevail; and that the privileges of members of that House ought not to be allowed to ride over the law. If he were wrong with

respect to his notions of the law, then the party would be entitled to legal redress, and would have their remedy. Now as to the question of privilege, he was by no means prepared to recognise the doctrine, that the privileges of parliament, even though not opposed to law, were to be so largely interpreted as was now contended for. It was not necessary now to raise the question of the privilege of parliament. Were the House, he would ask, prepared to put the law as to the privilege of that House on this broad principle—that all prisoners, whatever might have been their offence, had the right to address letters to all members of parliament? Why was the distinction made with respect to letters sent through the post-office and other letters? Because the post-office knew the hand-writing of members of that House. But gaolers could not be supposed to know the hand-writing of members. The question then came to this—was the House prepared to assert a privilege which would have the effect of rendering it imperative on all gaolers to receive and to transmit unopened all letters which had on the back of them the name of a member of parliament? This was a privilege not necessary for the liberty of the subject. Gentlemen ought to have free intercourse with their constituents; but he knew not on what grounds the House could be called upon to countenance the doctrine, that a member of parliament ought to have the power of secretly corresponding with prisoners. Prisoners, it was true, might have occasion to transmit to members their petitions, in order to be presented to that House; but, if the case of prisoners were a *bonâ fide* case—if prisoners had nothing to conceal—there could be no grievance in having their letters opened. He saw no reason why members of that House should be invested with the privilege of holding secret communications with all prisoners—charged with all species of crimes—high treason, felony, or misdemeanor. He put the case in that way, because, if the doctrine were to be applied to one case, they would not know where to stop; it might be applied to the greatest criminal, as well as the venal offender. He could not agree in the doctrine as it regarded members collectively or individually, that the privileges of parliament should divert the law with respect to them, which had a universal application with respect to all others. The members of that House surely were not to be regarded as visiting magistrates. It was, indeed, their duty to hear complaints, and to see grievances redressed; and that duty was best discharged through the medium of petition. No one would interrupt that course; but he could not help saying, that he disliked that sort of epistolary intercourse between members of parliament and prisoners which was contended for. He was not saying that in all cases it was justifiable for gaolers to open the letters of members; but he would not decide the question raised by this motion too hastily; and he would therefore vote for the motion of his right hon. friend, because the offence complained of, if offence it was, might be carried before the competent tribunal. It would then be seen, whether these rules, which had been signed by two judges, were legal or not; but at present he was not disposed to push the right of privilege to the extent sought for by the original motion.

Mr. *Denman* said, that the noble marquis had stated that the question was a question of law, and that the complaint might be brought before the proper tribunal. But the noble marquis had not thought fit to inform his hon. friend of the manner in which he ought to proceed. In opposition to the noble lord, he would contend that the question was not one of law, but of privilege; and all the authorities cited in support of the governor of Lancaster Castle, were cited in disregard of the privileges of parliament—were cited to support the monstrous doctrine that members were to be prevented from receiving the complaints of those who might be suffering under solitary imprisonment. The noble marquis had said, that if the case of a prisoner were a *bonâ fide* case, there could be no cause for secrecy. Now he (Mr. D.) thought that a *bonâ fide* case—a case of great grievance and of real suffering—was precisely a case which ought not to be exposed to the view of gaolers, and which ought to be kept secret, if the complaint were intended to be effectual. Need he call to the consideration of the House the state of that horrible bastile called the Ilchester gaol? When the complaint of Mr. Hunt was brought against the gaoler—when the grievances and sufferings of the prisoners were first stated—the answer was, that he had acted according to law—that the regulations under which he had acted were sanctioned by the judges, and that

the gaoler was one of the most humane and most excellent of men; but when an examination of witnesses had taken place, and when the report of the commissioners had been published, it turned out, that the regulations, so far from having been observed by the gaoler, were departed from; and that the conduct of the gaoler justly exposed him to the indignation of the public in general, and peculiarly to the indignation of that House, which he had so grossly deceived. Now he would put it to the sense of the House, whether the abuses of Ilchester gaol would have been ever brought to light, if the gaoler had opened the letters of the prisoners? Was it not monstrous to contend that, a party, who was himself a criminal, should be set up as a judge in his own case, and should be vested with power to prevent the case of the oppressed from ever reaching the individuals that might be inclined to protect him? The noble lord had, however, laid down the doctrine, that the wretched inmates of a gaol should not have the opportunity, without the previous sanction of a gaoler, of communicating with members of that House; that was the doctrine distinctly laid down by the noble lord. Against that doctrine he begged solemnly to protest; as necessarily leading to the greatest abuse. With respect to the learned persons who, it was said, had signed those regulations, he believed that the question of privilege had not been contemplated by those learned persons, as he was sure it never entered into the consideration of the framers of the law under which they acted. The regulations of the act did not refer to the question of privilege. An hon. gentleman had stated opinions taken at the bar; but he would venture to say, that the question of parliamentary privilege had not been brought under the view of the gentlemen who had given legal opinions. The opinion of sir Samuel Romilly had been taken; and he had said that the privileges of parliament could not be taken away by a side wind. An hon. gentleman had instanced a case where a prisoner attempted to carry on a correspondence for the purpose of suborning witnesses. Unquestionably, it was a most criminal act; but, were not those regulations calculated to prevent the communication of truth—were they not calculated to obstruct the opportunity of a fair defence—above all, were they not calculated to prevent the cause of the sufferer from being made known to the public? A right hon. gentleman had made a distinction between the delivery of letters by the post-office, and other letters; and the noble marquis made the same distinction, because it was assumed that the persons in the post-office knew the hand-writing of members. Now, he would wish to know how letters could come to the hands of a gaoler, until those letters had previously gone through the post-office? The right hon. gentleman had alluded to the case of the governor of Hull; but the principle applied with equal force to the case of the gaoler of Ilchester, as to the governor of Hull. He trusted that the House would feel it to be their bounden duty to assert their privilege on the present occasion. The exercise of that privilege was essential to the situation of a member of parliament. The privilege of parliament was considered precious in the eyes of ministers, when it was wielded to oppress their political opponents; but as soon as that privilege was about to correct the gross abuse of power, then it was no longer thought deserving of their regard. But he did trust that the House, by their vote, would show the country, that they considered that parliamentary privilege had not been given to them to aid and protect ministers in acts of arbitrary power; but to remedy and control such abuses as they might, from time to time, detect in any department of the state.

Mr. *Bathurst* said, that the hon. mover had admitted, that if he had not been a member he could have no right to complain of the regulations which had formed the subject of debate. The question, then came to this, whether the House were bound to come to a decision on a matter of privilege, which decision would be looked upon as precedent for the future; or whether it would not be more prudent to leave the party to his remedy at law? It should be recollected, that the privilege which the hon. gentleman claimed was not one which was recognised by the former practice of the House; and it would not be difficult to show that, if established, it might, in some cases, operate in a manner highly inconvenient, if not dangerous.

Mr. *James* shortly replied. His view of the question was not, he said, at all altered; and he believed, on the authority of sir S. Romilly, that the practice complained of was illegal. The right hon. gentleman had argued that poison might

be conveyed to a prisoner in a letter. This was very true; so might a prisoner knock his head against the prison wall, if he were determined to kill himself. He would not hesitate to assert, that if the House should that night decide against him, their decision would be most arbitrary, and at the same time most dangerous to their own privileges. Their vote would have the effect of recognising two distinct legislatures; one composed of both Houses of parliament, with the king at their head, and the other composed of judges, magistrates, and gaolers.

The previous question being put, "That the question be now put," the House divided: Ayes, 60; Noes, 167.

List of the Minority.

Allan, J. H.	Leycester, R.
Althorp, lord	Lloyd, sir E.
Bernal, R.	Lambton, J. G.
Bright, H.	Lushington, Dr.
Birch, J.	Maberly, J.
Brougham, H.	Maberly, J. jun.
Barret, S. M.	Macdonald, J.
Benyon, B.	Marjoribanks, S.
Beaumont, T. W.	Moore, Peter
Calvert, C.	Martin, J.
Crespigny, sir W. De	Normanby, lord
Crompton, S.	Newman, R.
Concannon, Lucius	O'Callaghan, J.
Coffin, sir I.	Parnell, sir H.
Creevey, T.	Palmer, col.
Calcraft, John	Russell, lord J.
Carter, J.	Ricardo, D.
Caulfield, hon. H.	Ramsden, J. C.
Davies, col.	Robinson, sir G.
Denman, T.	Smith, hon. R.
Ebrington, viscount	Smith, W.
Fergusson, sir R.	Smith, S.
Farrand, Robert	Sefton, earl of
Grattan, J.	Stuart, lord J.
Guise, sir W.	Sykes, D.
Hamilton, lord A.	Wilson, sir R.
Honywood, W. P.	Wood, alderman,
Haldimand, W.	Wyvill, M.
Hutchinson, hon. C. H.	TELLERS.
Hume, J.	James, W.
Lennard, T. B.	Bennet, hon. H. G.

NAVY FIVE PER CENTS.] The House having resolved itself into a Committee on the Navy Five Per Cent Acts,

The *Chancellor of the Exchequer* said, that the resolution to which he was about to call the attention of the House, was founded, in its principle, on a transaction which had always formed the subject of panegyric with the writers on the state of England, as one of the greatest proofs of the resources of this country, of the extent of its credit, and of the power which it derived from the combination of private opulence and public faith—he alluded to the reduction of the four per cent annuities by Mr. Pelham in the year 1749. In introducing the measure which he should now have the honour to propose, it would not be irrelevant to bring briefly before the House the circumstances of the transaction in 1749, to which he should appeal as a precedent. In the year 1737, when sir Robert Walpole was chancellor of the exchequer, it was proposed by sir John Barnard, to invest his majesty with power to raise money by loans at a low rate of interest, at which it could then be procured, to pay off that part of the public debt on which a higher interest was paid. This proposal, then made by sir John Barnard, was not at that time acceded to by parliament. In 1749, however, Mr. Pelham, then chancellor of the exchequer, adopted the idea, and proposed to parliament a plan for reducing that part of the national debt which consisted of four per cent. This description of stock amounted then to 57 millions—at that time a very great sum; so great indeed, that considerable doubts were entertained of the practicability of effecting the reduction. Mr. Pelham, however, persevered, and brought forward his plan; which was finally carried into successful operation. The plan was this, a subscription was opened of the holders of the four per cent stock, and the persons subscribing were entitled to receive three and a half per cent for the next seven years, and three per cent after that period. The period fixed for the subscription was three months, and at the end of that time more than 38 out of 57 millions of stock had been subscribed. The more complete success of this first subscription was prevented by a combination of some of the great stockholders, who were, it was said, encouraged by the political opposition of the day. The gentlemen whom he now saw opposite to him, would, he doubted not, form an honourable contrast to the opposition in the time of Mr. Pelham, and would give their full concurrence to a measure so beneficial to the public interest, and so conducive to the immediate relief of the people. Sir John Barnard at that time published a pamphlet on the plan, which produced a great effect, and in conjunction with the firmness of parliament, completed the proposed plan. The time allowed for the first subscription having expired, a further

subscription was opened on terms rather less favourable to the holders of the stock: for Mr. Pelham very properly determined that those who, in the first instance, had refused to accede to a plan so beneficial to the public and so just to the holders, should not be allowed afterwards to avail themselves of the advantages offered. Under this second subscription, about 15,600,000*l.* was subscribed, and there remained about 3,290,000*l.* stock, which was repaid in money to the holders. The total of the debt was then only 78 millions; so that 57 millions, the sum then reduced, though smaller in absolute amount than the present five per cents formed a much greater proportion of the whole debt of the nation, than that which it was now proposed to reduce. He said this because he was unwilling to assume a greater credit than he deserved, in comparison with the measure of 1749. Indeed very great credit was due to Mr. Pelham, for the vigour with which he carried through his measure, and because he had set a precedent which afforded great facility to the present operation.

Having thus described the operation of 1749, he should now state the particulars of the measure which he recommended to the consideration of the House. Every member must know how anxiously they had looked forward to the reduction of the interest of the higher denominations of stock when it could be done consistently with good faith—how earnestly it had been recommended by committees, as well as by various members of the House—and how it had been foreseen as one of the happiest consequences of the dawning of national prosperity. By the operation which he now proposed, the reduction of the 5 per cent stock, a sum of 1,130,000*l.* of annual charge would be reduced; and when the reduction of the Irish 5 per cents was added, a relief of 1,220,000*l.* or perhaps 1,230,000*l.* would be obtained for the public. The stocks, which now bore 5 per cent interest, were of three descriptions. The first and most considerable was termed navy 5 per cent stock, which, at the commencement, was formed by the funding of navy and victualling bills to the amount of 25 millions, and which had since been increased by the funding of exchequer bills, and the loans raised in it, till it now formed a total of 141 millions. The second description was the Irish 5 per cent stock, which was raised for the service of Ireland, but on the credit of England, which was payable at the exchequer of England, and since the union of the treasuries was chargeable on the consolidated fund of the united kingdom. This stock amounted to 1,400,000*l.*; and as no conditions as to modes of repayment were annexed to it, it would be included in the present payment. Another species of 5 per cent stock, however, existed, which was now of small amount, though originally much larger, which had been created for a loan negociated in 1797, and generally known by the name of the loyalty loan, to which peculiar conditions as to redemption were annexed. The holders of this stock being entitled to repayment in money within two years after the conclusion of the ensuing peace, the greater part of them called for their money within that time, after the peace of Amiens, and there remained now about one million of that description of stock. That stock was not included in the present operation, because under the terms of their loan, the holders were not liable to be paid off till three years after the paying off of the navy 5 per cents, and when they were so paid off, they were entitled to demand a transfer into 3 per cents on certain terms (that is to say, at the rate of 133 per cent for every 100*l.* of their stock). On these accounts, the loyalty five per cent would not be included in the present transaction. The remainder of the 5 per cent stocks was about 142 millions and a half. It was proposed that a commutation should be made of the British 5 per cents into a 4 per cent stock, the dividends on which should be payable on the same days on which those in the 5 per cents were now payable, viz. in January and July. The Irish 5 per cents, however, being now payable in April and October, a quarter's dividend would be paid on the stock into which they would be commuted in July next; after which the half-yearly dividends would be payable at the same time as the other parts of the fund. The holders accepting this commutation, would receive in the 4 per cents an addition of 5*l.* per cent on their capital, which would produce them an interest of 4*s.* yearly. By the resolution he now proposed, a relief of 1,140,000*l.* would be obtained, exclusive of the Irish stock. The House would see, that all that they had a right to enforce on the holders was payment in ready money, and not a com-

mutation into any other stock. Such a commutation must be on their part a voluntary transaction; but, by offering fair and somewhat favourable terms to the holders, there was no probability that they would withhold their consent. It was, of course, essential that the holders should have the fullest opportunity of expressing their opinion; but this opportunity would be as fully given by allowing them to express their dissent, as by calling on them to express their assent, when either in the one way or the other sufficient time were given. The present circumstances differed from those of the time in which Mr. Pelham effected the commutation, though in point of principle, and in an observance of public faith, the plans were the same. In the time of Mr. Pelham, the parties who wished for the commutation, were called on to subscribe, and three months were allowed for them to do so. The vast extent of our colonial possessions, and the manner in which proprietors of British stock were scattered over all the world, would make at present the fixed time of three months inconvenient. In some cases it would be not sufficient, in others it would be more than enough. It was certainly desirable that, while sufficient time was allowed to make an option, the time should not be unnecessarily prolonged. To the public such a prolongation would be attended with inconvenience, by making the benefits indefinite; while, to the persons concerned, it was injurious, by encouraging that spirit of jobbing and gambling which often gave a disgraceful character to the transactions of the money market. His proposition was, to limit, in the first place, the time of signifying their intentions, for persons residing within Great Britain, to the 16th of March. To those who lived out of Great Britain, and in Europe, the time allowed, he proposed, should be three months, say, the 1st of June; and to those who lived out of Europe, twelve months from the present time. With respect to the terms on which the commutation was proposed to take place, at the present market price, the four per cents were at 98. The bonus given was *5l.* per cent, so that there was nearly *3l.* per cent bonus; for *105l.* of stock was nearly equal to *103l.* of money. But as the dividend on the four per cents was payable a quarter sooner than the dividend on the five per cents, there was a certain deduction from the benefit; but as a set-off, he proposed that a clause should be introduced to provide that the stock should not be redeemable till 1829.

In the way of objection to this plan, it was possible that it might be urged that a proportionate, though small addition, was made to the capital of the debt, to the amount of about 7,000,000*l.* He had been induced to adopt this course for the following reasons:—There were but two other means by which this alternative could be avoided—the creation of a 4½ per cent stock. Now this plan, in the first place, would have postponed for a considerable time the advantage to the public from the commutation; for instead of 1,150,000*l.* a-year, only 700,000*l.* could, in the first place, be gained. The advantage to the public by the reduction of 4 or 500,000*l.* a-year was so great, that it seemed to him worth while to incur, for the sake of it, an inconvenience rather technical than real. In the second place, the stock fixed at that per centage must have been made irredeemable for a long period, as otherwise the prospect of another and a speedy reduction would have made holders unwilling to accept that species of stock. The other mode to which he had alluded, of carrying this object into effect was, to grant certain portions of long annuities by way of premium, in addition to so much stock, at a lower interest. The objection to this plan was, that a considerable portion of the fund was held in trust, and that trustees would be unwilling to take securities which would only continue for a limited number of years, and without any capital annexed to them. He would now return to the reasons which had induced him to prefer the mode of taking the option of stockholders by an expression of their dissent, rather than of their assent. In the first place, assuming that the advantages held out to the stockholders by the proposed transfer were so great that comparatively but a small number would wish to remain in the 5 per cents, it was evident that it would be much more convenient to call upon the minority than the majority for the statement of their will. The other mode would, indeed, be attended with great inconvenience, because the 5 per cent stock was divided amongst a large number of holders. He believed the number of individuals holding that stock exceeded 100,000. Of these persons, 50,000 possessed each less than 1,000*l.* stock. The

committee would easily imagine the inconvenience that would result from calling on this prodigious number of persons, supposing, as he did, that nearly all of them would consent to the proposed arrangement, individually to signify their approbation of it. He proposed, that the greatest possible convenience should be given to those who dissented. A plan had therefore been concerted that would combine facility and accuracy; a printed form in a few days would be ready for circulation at the Bank, which might be filled up by the party himself, or by a person authorized by power of attorney. Dividends were received either by the actual holders of the stock, or by a person acting under a power of attorney; and the power might be extended to the purpose now in view. He apprehended that it was most equitable that the parties signifying dissent should be paid off in the order of their dissent: their names would be regularly entered in a book at the Bank, in the regular order in which they might be paid on the 5th July. He said the 5th of July, because, although there was no objection on the part of the public to complete the payments on that day, for parliament could direct as it pleased upon the subject, it did not seem at all likely that the number of dissentients would be so great as to render any further instalment necessary. Upon this point he should have further to explain himself, when the period for declaring the option had expired. It would then be requisite for him to submit to the house the mode in which the money for that purpose should be raised; and it might then be determined whether it should or should not be all paid in one day. On the authority of the 26th Geo. III., c. 31, he affirmed that parliament possessed the power to direct at what period, and in what manner, any payments should be made. That statute expressly referred to the payment of stock at par; and it provided that any stock above par might be paid off at any time and in any manner parliament should determine: it provided further, that stock under par should be purchased in the market for the sinking fund. No difficulty would arise out of the circumstance, that the payments were to be made by the commissioners: any fund parliament might appropriate to the purpose would be paid into the hands of the commissioners for the redemption of the national debt, and applied by them to the object now under consideration.

He had now shortly stated the mode adopted by Mr. Pelham: he had also mentioned the mode now intended to be pursued: he had pointed out the difference between the two plans, and had assigned, as he thought, satisfactory reasons for those variations. It now only remained for him to recall the recollection of the committee to the advantages which the public would receive from this transaction: he trusted that it would be deemed in no respect inferior in principle and superior in amount to the operation effected by Mr. Pelham. Under the latter, the public ultimately obtained a relief to the extent of 570,000*l.*, but until the lapse of seven years, it did not exceed 285,000*l.* In the present instance, the reduction of burthen would be to the extent of 1,150,000*l.*, exclusive of the Irish five per cents, amounting to about 90,000*l.* The whole would be left open to farther reductions at the end of seven years: the new fund now created might then be paid off. At what time, and under what circumstances, parliament might make a farther reduction of the public burthens by paying off other funds, it was not for him to anticipate. All he could say was, that it mainly depended upon the firmness and resolution of parliament. He ascribed the benefit this day opened to the House entirely to the firmness parliament had displayed in preserving the public faith inviolate. He took no credit to government, excepting as the organ of the will of parliament, as the agents of the representatives of a free and generous people. The resolution of parliament to support the sinking fund, the stability of public credit, the confidence reposed by the stockholder in the national council that the public faith would be preserved at any hazard, had induced the public to accept terms, from which they might have shrunk with apprehension without this guarantee on the part of the great council of the nation. The operation of this day would sufficiently point out the necessity and the wisdom of adhering to the same steady undeviating course. At the same time, it was in the highest degree satisfactory to ministers to be enabled to give the public the relief which had been held out on a former night in the speech of his noble friend (the marquis of Londonderry.) In the confidence that this great operation would be completed, he (the chancellor of the exchequer) had proposed to the house the re-enact-

ment of the annual taxes without the addition of the extra malt-tax: government would now proceed with confidence to give the public, and especially the agriculturists, the benefit of the remission of that duty; knowing that by so doing they broke in upon no principle of public credit, but preserved a full surplus for the sinking fund.

Having gone thus far, he, perhaps, should not be wasting the time of the committee if he proceeded to answer a question that might be put to him. He should probably be asked why, under the strong feeling of the importance of an operation of this kind, the opportunity had not been taken in the year 1818, when, for a certain period, the funds were even higher than at present? To that question he was bound to give a distinct answer. It must be obvious that, on the conclusion of peace, ministers had two great objects in view which presented serious obstacles: the one was the restoration of the currency; the other the reduction of a part of the charge of the public debt. Until the currency of the country was re-established, the stability of public credit could not be depended upon, and the bargain with the stockholder could not be equitable on both sides: no security could have been given as to the effects the change in the currency might produce. In point of fact, this change had produced some important effects. From the high price the funds obtained in 1818, they fell back most rapidly; and consequently, a heavy and inequitable loss would have been thrown upon the public, had any such operation been then contemplated. Until the restoration of cash payments, nothing could be offered to guard against dangers of this kind; but when once that great object had been accomplished; when that important remedy had been applied; it then became ministers to take the earliest opportunity of consulting the public interest by the reduction of the charge on the debt. Never was there a time when that reduction could be more opportune and acceptable. He looked upon this operation as a sequel and consequence of the resolution of the house in 1819, by which it was determined to support a sinking fund of 5,000,000*l*. It was the first fruit of the resolution of Thursday night last—"That this House sees with satisfaction that by the operation of this surplus, connected with a reduction of the interest on the five per cent. stock, a diminution of taxes may be immediately effected, thereby affording to the people, within the current year, the first advantages of that relief from a part of their present burthens, which was held out to the country in the resolution aforesaid, as one of the beneficial effects to be derived from the application of a surplus of 5,000,000*l*. The right hon. gentleman then moved his first resolution as follows: "That all and every person and persons, bodies politic and corporate, who now is or are, or hereafter may be, interested in, or entitled unto any part of the national debt, redeemable by law, which now carries an interest after the rate of five pounds per cent per annum, and is usually known by the name of navy five per cents, or by the name of Irish five per cent. annuities payable at the bank of England, and who shall not signify his, her, or their dissent, in the manner hereinafter mentioned, shall, in lieu of every 100*l*. of such five per cent. annuities, receive and be entitled to, the sum of 105*l*. in a new stock, to be called the new four pounds per cent annuities, and to carry an interest after the rate of four pounds per cent per annum, and so in proportion for any greater or less amount of such five per cent. annuities; and that the dividends thereof shall be payable half-yearly, at the Bank of England, upon the fifth of January and the fifth of July, in each and every year:—and the first half-yearly dividend on the said new four pounds per centum annuities shall be payable on the fifth day of January, 1823; and that the said new four per cent annuities shall not be liable to be paid off until the fifth of January, 1829."

Mr. *Ellice* said, that before he proceeded to remark upon what had fallen from the right hon. gentleman, he was anxious to put one question to him: upon the answer his (Mr. Ellice's) conduct would entirely depend. He begged to ask if it were probable or possible that the determination of government, so distinctly stated by the chancellor of the exchequer on the subject of the dissent of the proprietors of 5 per cent stock, would undergo re-consideration?

The *Chancellor of the Exchequer* said, he considered the plan suggested by ministers on the whole the best, and he saw no reason, founded upon the convenience or the advantage of the parties concerned, to alter any part of it.

Mr. *Ellice* was much indebted to the

right hon. gentleman for the clear answer he had given, although it would oblige him to state some objections to the proposition before the House; which he was the more reluctant to do, as he felt equally anxious with every other member, that the country should be relieved by a reduction in the rate of interest, whenever it could be effected on terms consistent with public credit and good faith. But he was afraid the present scheme was of a very different description; and, above all things, he did not expect to have heard it compared with Mr. Pelham's plan in 1749. That was distinguished in all its parts by openness, candour, and fair dealing; while the present was characterized by crookedness, trick, and artifice. He wished to God the right hon. gentleman had the benefit of such advice in his transactions with the city, or that House the benefit of such counsel from its representatives, as Mr. Pelham had derived from that upright distinguished person, sir J. Barnard. They would scarcely then have heard, that a fair way of dealing with the public, in such a transaction was, by borrowing money from the Bank to reduce, artificially and temporarily, the proffered rate of interest; and, under that delusion, and the various difficulties thrown in the way of trustees and other stock-holders, by the shortness of time, and especially by requiring their dissent, compel them to accept of any terms that might be offered.

Among the various difficulties and objections attending the transaction, not the least were those applicable to that part of the scheme that related to paying off numerically those persons who should express their dissent. How was it to be ascertained which letter of dissent was first delivered? The property of individuals, after the delivery of the letter, was likely to be affected by the situation in which he stood in the list. Suppose he (Mr. E.) happened to be the first, and wished to sell his stock, where was he to find a buyer? The first question asked would be, in what order are you on the list of dissentients? Other difficulties presented themselves: if two trustees differed in opinion as to assent or dissent, how was government to deal with them? Which was to be considered as binding the other, and binding the party beneficially interested in the question. It was proposed to extend the period for persons residing abroad; this was open to every kind of abuse; and, again, what provision was to be made where one of two or three parties were absent and the others present? In short, difficulties of this description met us at every step, and were all to be ascribed to a deviation from the plain, straight-forward course pursued on the former occasion, to which the right hon. gentleman had ventured to advert in opening the present proposition. Had there been the slightest resemblance in the two plans, all sides of the House would probably have concurred in securing the advantages anticipated, and unanimity would have contributed both to the success of the measure, and to the satisfaction of parties interested. The House must also consider, in the present instance a capital of 7 millions was to be added to the public debt, exactly in the same manner as if the amount had been borrowed in the market, and of course no advantage could really accrue, until the saving in interest exceeded that sum. A period of 7 or 8 years, calculating compound interest, must elapse, before any saving could be calculated upon. The interest of money had certainly been declining; and if ministers were so confident, as the noble marquis had expressed himself, of the continuance of peace and the permanent prosperity of the finances, why not have offered, as in the previous case, the option of a gradual reduction? Suppose 5 per cent had been continued for next year, 4½ for two following, and the rate had only been then reduced to 4 per cent. The country would have saved one half of the proposed bonus; and he put it to any gentleman conversant with what was now passing out of doors, whether a great proportion of the parties interested, particularly the more numerous, who did not so much calculate the ultimate profit or loss of the transaction as the effect of the immediate reduction on their domestic arrangements, would not have been more or equally contented? The precipitation with which it was intended to force through the measure, discredited the transaction, and the professions of government. A fortnight was only given to the holders of 150 millions of stock, some of whom resided in distant parts of the country, to consider the terms proposed, and how their dissenting to them might affect the various family arrangements dependent on property, so great a change in the income from which, they

had probably scarcely contemplated, before their immediate decision is required. Why all this unaccountable and unnecessary precipitation? The deduction was only to be made on the January dividends. Was the revenue likely to fall off, or the state of public credit to decline, before January? According to the statements of ministers, their expectations were directly the reverse. On the contrary, they had heard sanguine anticipations of a further advance in the price of the funds, enabling government also to reduce the 4 per cents. Mr. Pelham did not in this manner profess his confidence in the progressive advance of the financial and commercial prosperity of the country, which alone justified the transaction then, or can justify it now, and then turn round immediately and belie his professions, by saying that "although I believe this, and that our foreign arrangements will guarantee a lasting peace, I will not trust any thing beyond a fortnight." Had the pending dissensions between Russia and the Porte any influence on the otherwise almost unintelligible anxiety with which this measure was pressed forward? But he would acquit ministers, in the present instance, of any intention to defraud the public creditor; for no other term could be applied to the transaction, if they had really any apprehension as to the result of these negotiations.—To return to the plan itself, the right hon. gentleman says he sees no difference to the stockholder, in requiring from him a dissent rather than an assent. Why not then allow him the choice, that he may judge for himself? It was essential also, in finally determining on this measure, to look at the effects which had been already produced, first, by the rumours of the intention of ministers, and then by the communication of them to the public. Somehow or other it did very oddly happen, that certain influential individuals on the stock exchange, who were supposed to have the ear of the right hon. gentleman, and who very shrewdly guessed what was about to take place, had been more busy than usual, previous to the meeting of parliament, in their speculations to raise the funds. It was notorious, that enormous loans, to the extent of many millions, as any of the bankers in the House could inform them, had been specially borrowed on the security of stock purchased with this object. These gentlemen had exercised a very clear foresight on the present occasion. The funds in which they had made their purchases naturally rose on the declaration of the noble marquis in the commencement of the session, and the 5 per cents, declined. The holders of 5 per cents, consisting in a greater proportion of small annuitants, and persons whose necessities and limited means compelled them to look for the greatest possible extension of income, alarmed at the threatened reduction, crowded the transfer offices at the Bank in such numbers to sell out their little pittances, that it was scarcely possible for several days to get through the business. The powers of attorney provided to persons in the country of the same class were in equal proportion, and the small sums brought to market in consequence, of from 100*l.* to 1,000*l.*, fell into the hands of the great speculators, who were possibly further gifted by some spirit of divination as to the bonus to be offered by the chancellor of the exchequer. The quantity, however, sold even exceeded their calculations, and the interest of money had consequently nearly doubled in a short period in the market. All this might apparently lead to difficulties not exactly contemplated by the right hon. gentleman, or the Bank, when they so readily consented to a further advance of 4 millions. The property thus sold out had been forced into foreign funds; which was proved by the great advance in all foreign securities, entirely disproportionate to any in our own, after even all the efforts of the stock-jobbers. Within a week or ten days French stock had risen 5 per cent, Danish 8, Spanish, Russian, and Prussian 6 or 7, and the bonds of the Columbian republic, which have been within 12 months at 15 and 20 per cent, discount, to par. Would all this produce no alteration in our exchanges, no demand of gold and silver to supply the means of remittance; and was our stock so abundant of these metals as to prevent the least apprehension of an extraordinary and sudden demand for them having any influence on the measures recently adopted with respect to the currency? Was it so certain that no event of this description, putting out of the question any interruption in the peace of Europe, might not create a great scarcity of money, and oblige the speculators who became possessed of the new 4 per cent stock merely as an article of trade, to force it on the market and depress the funds? and might

not a sudden fall prevent the success of the measure—or, if it happened after the holders of 5 per cents had accepted, or rather have been driven into the terms, dissatisfy them with the manner in which their interests had been dealt with in the transaction?

The right hon. gentleman had said, if the present opportunity was missed another might not again occur. He was probably right; the country would be worn out and sickened by the repetition of so many juggling and temporary expedients as had been resorted to in our finances since the peace, and at last refuse all confidence to the schemes of the right hon. gentleman. He says the 5 per cents might have been paid off in 1818, when the stocks were at 84, and urges the loss of that opportunity as a reason why he should not neglect the present one. How were the funds then raised to 84? By loans from the Bank, and the issue of a greater amount of paper, than in the extraordinary annals on that account, as well as on others of the war. What are we not now suffering from the unaccountable conduct of ministers and the Bank, with respect to the currency in that year, and the delusion it not only enabled them to practise on the country, but on the committees of 1819, with respect to the extent of the depreciation? He (Mr. E.) had, however, no doubt the right hon. gentleman would accomplish his purpose; and the object he had in view was certainly a proper one, at a fit season, and if obtained in a candid and fair manner; but he could scarcely call the profit to be derived from it a public advantage, if gained at the expense of national credit or character. When Mr. Pelham brought forward his plan, what were his means of ensuring its success? After giving the stockholder the most ample time to consider his offer, stating firmly and candidly his financial prospects and arrangements, for which the country had a right to expect a reduction of the interest, he was enabled successively, by the developement of his means, to make more favourable terms with those who at first held out, and ultimately to pay off the dissentients from the surplus of the revenue. Where was the right hon. gentleman's surplus? It was notorious the consolidated fund, which was deficient 7 millions last year, was this year in a still more deplorable condition, from the addition of 2 millions, since borrowed, to add to what was called a sinking fund; much in the same manner as he was now borrowing 7 millions to reduce the interest on the 5 per cents. Why did the noble marquis on the preceding evening leave those 9 millions out of his financial statements? It was rather too large an item to form an accidental omission. Had it, then, been purposely and studiously kept out of view, that an unfair impression of the actual situation of our finances might assist this scheme of his right hon. friend? He would not fatigue the House by going into all the objections that had been raised, or could be stated to the measure. Even legal doubts had been suggested of the right of government to pay off the 5 per cents under present circumstances; but passing by these, the most objectionable points which occurred to him, were the dissent required, and the shortness of time allowed to the stockholders for consideration. Besides, the policy of the proceeding, looking to its obvious tendency to drive capital out of the country, at the moment we were attempting to restore a money circulation was more than questionable. Looking, however, to the proposed object of relief to the country, he would offer no opposition to the immediate proposition of the right hon. gentleman, and opportunities would occur in the future stages of the bill, to enter into farther examination of its details.

Mr. *Williams* entertained considerable doubt as to the policy of the plan, at least so far as it affected persons who had money in the five per cents to an amount less than 1,000*l*. Of these persons there were upwards of 50,000. There was another objection to this plan, that it would have the effect of increasing the national debt. It would actually add 7,000,000*l*. to it; and it would take six years to bring us back to the same situation in regard to the debt, in which we now were. The right hon. gentleman had argued upon the principle, that the raising of the funds was beneficial to the country. Now he (Mr. W.) maintained the direct converse of that proposition. Speculators and jobbers might, indeed, be interested in having the funds high; but individuals who depended upon a permanent annuity were interested in a low state of the funds.

Mr. *Maberly* said, that looking to all the circumstances of the case; first to the difficulties which necessarily attended the

transaction; and next, to the political state of Europe, he could wish that the time for affording an option were extended from the 16th to the 30th of March.

Mr. *Ricardo* thought the plan very desirable, and the terms proposed by ministers extremely fair. With regard to the time allowed for option, he thought it amply sufficient. But, suppose persons were to purchase stock in the name of others residing abroad, with a fraudulent intention, would they be entitled to the extended term, or would they be obliged to give their answer by the 16th of March?

The *Chancellor of the Exchequer* said, the case supposed by the hon. member would, he hoped, be precluded by some resolutions which would be subsequently read at the table.

Mr. *Ricardo* said, it would very much facilitate the plan, if such holders of five per cents as assented, could know at what time the transfer to the four per cents was to take place. The question of the dividends might at first sight offer some difficulty, but this difficulty was more apparent than real, because the very same dividend which was given to a person holding 100*l.* in the five per cents might be given to a person holding 105*l.* in the four per cents. If this stock were quickly transferred, the natural consequence would be, to raise the price of it in the market; and as persons would be induced to speculate in it from the advantage of a small but quick profit, the operation from this circumstance would be much facilitated. The right hon. gentleman would do well if he explained the mode in which the money was to be paid off to persons who dissented. It was evident that persons having an option, and who were in doubt whether they might or might not have made a bad bargain, would not decide till the latest moment. He should like to know then, if many thousand letters came in on the 16th of March, how these applications were to be disposed of.

Mr. *Wilson* said, that however expedient this measure might be, with a view to the reduction of taxation, still if there were a class of persons upon whom it pressed with peculiar hardship, it was incumbent upon the House to mitigate its severity as much as possible. The interest of this fund was not only reduced from five to four per cent, but a rod was kept over the heads of the holders, and it was liable to be reduced again within seven years. He thought this term should at least be extended to a later period.

Mr. *Bright* wished to know what regulations were to be adopted with regard to trustees.

Mr. *Bankes* could not help thinking that the present project of a sinking fund was the less meritorious, inasmuch as the plan of liquidating the public debt by the operation of compound interest was abandoned. He wished to know at what time it would be convenient to the right hon. gentleman to take the debate on this subject.

The *Chancellor of the Exchequer* said, he by no means considered the question of abolishing that part of the project of a sinking fund which went to liquidate the debt by compound interest, as decided. It was a question which demanded the most serious attention, and which formed no part of the present measure. It was a question which involved the repeal of many acts of parliament; and he must confess that it appeared to him to be a measure of very questionable policy. As to the question which had been put with regard to trustees, they would be empowered to act for their principals, and would be indemnified. The hon. member for Weymouth had expressed some doubt as to the competence of parliament to pay off the five per cents; but it had never before been suggested that the condition imposed by the act of 1784, with regard to the reduction of the five per cents was any other than that parliament should not pay off that fund until 25 millions of the 3 or 4 per cents were paid off or redeemed. But the hon. member seemed to suppose that the national debt was first to be reduced to that amount—a construction which the act of parliament could not bear. As to the hardship with which the transfer was likely to operate upon persons of small property, it should be recollected, that such persons had purchased this stock at a lower rate, and with a larger return of interest, under the express liability of being paid off by government. However much, therefore, they might be objects of commiseration, they had no title to complain; and the inconveniences of their situation would be greatly mitigated by the great reduction which had taken place in all the necessaries of life. Some reasons had been

urged for prolonging the time at which holders were to make their option; but the period on which government had fixed, was sufficiently long to enable them to make up their minds on the subject. As to the question, from what fund and in what manner the payment was to be made to such holders as did not assent to the terms? That question could not be answered until the option was made. As soon as the number of persons dissenting was ascertained, he should be ready to submit a plan to parliament, by which they were to be repaid. He could not see the force of the objection of the hon. member for Coventry; namely, that it was more unfair to call for the expression of dissent than of assent. The hon. member had attributed the rise in the price of foreign stocks to the plan now proposed by government; but it should be recollected, that that rise had taken place long before the present plan was promulgated. It was not the plans of government, but the alarms which had been raised in consequence of rumours that the public credit was about to be infringed, which had had the effect of driving large sums of money abroad, and consequently of raising the price of foreign stocks. He doubted not that a contrary effect would take place; and that such sums as had been withdrawn from the country under the influence of a temporary panic would return, when it was known that there was no foundation for such rumours, and that the public credit was fixed upon a secure and lasting basis.

The several resolutions were then put, and agreed to.

HOUSE OF LORDS.

Tuesday, February 26.

AGRICULTURAL DISTRESS, AND THE FINANCIAL MEASURES FOR ITS RELIEF.] Earl *Stanhope* presented a Petition from the owners and occupiers of land in the county of Kent, which he had withdrawn on Thursday on account of informality. His lordship apologized to the House for the informality in the petition which had previously prevented its being received; but trusted, that though the signatures to it were now unavoidably but few, that it would be received as conveying the sense of the considerable number who had originally signed it. He trusted also that in the present depressed state of the agricultural interests, the people would meet with firmness and vigour for the purpose of discussing the grievances which oppressed them, and that their statements, in respectful terms, of those grievances, and of what they considered would be the best remedies, would meet with every attention in that House.

The petition was received. After which, the order of the day being read,

The Earl of Liverpool rose, and addressed the House as follows*:

My Lords; I entirely concur in opinion with the noble earl, who has just presented a petition to your lordships, from the owners and occupiers of land in the county of Kent, that on this, and on every other occasion, the petitions of any class of the people, stating in proper and respectful terms the grievances under which they conceive themselves to labour, are entitled to the most attentive consideration of parliament; not less as a matter of political expediency than as one of constitutional right. I can have no doubt that most of the agricultural petitioners, by whom your lordships have been addressed, actually suffer the pressure of which they complain; although never were men more mistaken than some of those petitioners are, with respect to the remedies which they have pointed out as calculated to remove or mitigate the evil. It is for your lordships, however, in the exercise of your discretion and wisdom, to act upon your own opinions, or rather upon your own judgment, both as to the causes, and as to the probable remedies of the alleged distress; and of this I am satisfied, that if the petitioners are in error, as I conceive them to be, there is no more effectual mode of dispelling that error than that which the constitution and the practice of your lordship's House authorise and prescribe—a free and full investigation of the whole subject.

The purpose for which I at present rise, my lords, is, to take a general view of the condition and resources of the country—always a consideration of great importance, but particularly so at the present moment: and the motion with which I shall conclude, will have the effect of producing information essentially connected with the representations and prayer of the petitions, which have been presented by the noble earl and by other

* From the original edition, printed for Hatchard and Son, Piccadilly.

noble lords to this House. Your lordships are aware, from the votes of the House of Commons which are on your lordships' table, that in that House an inquiry into the state of agriculture has been instituted, and that certain measures have been proposed and are under consideration, which relate to the internal economy of the country. It has, therefore, been conceived, and it appears to me not improperly, that much advantage would arise from enabling your lordships to take a general view of the state of the country, before the legislative measures which have been or will be introduced in the other House of Parliament, shall come under your lordships' consideration. And this course certainly seems to be the more desirable, as those measures may probably come up to your lordships at different periods, and as they may relate to very different objects. I am consequently induced, before I move for the papers and accounts which I wish should be laid on the table, to trouble your lordships with a few observations and explanations, with regard to our present internal situation, and to the various topics and recommendations contained in the several petitions which have been presented to this House. Your lordships will then have an opportunity of perceiving to which of the various branches of the subject your attention ought to be especially directed; and of judging what are the points on which you agree with his majesty's government, and what are the points on which, perhaps, you may differ from them. In taking this general view of the question, it may be advisable that I should go a little more into detail than the immediate purpose of my motion may seem to require; because, without such detail, I should not be able to make myself intelligible on many of the important topics to which it will be necessary for me to advert.

The first consideration which I must request your lordships constantly to bear in mind, throughout the whole of the statement which I am about to submit to you, is the great increase of *population*, which, according to the census of last year, appears to have taken place in all parts of the empire. It appears that, notwithstanding the extensive and exhausting war in which the country was so long engaged, —notwithstanding the difficulties that were encountered and overcome,—and notwithstanding the waste of human life that necessarily occurred, the *population* rapidly increased during the struggle. Paradoxical as it may sound, it seems probable that the causes of the progressive growth of our population were not wholly unconnected with the circumstances and state of things growing out of the war itself. But, whatever may have been the cause, the fact undoubtedly appears, by the comparative statement of the population which is before your lordships, that, between the year 1801 and the year 1811, there was an increase in the population of Great Britain from 10,900,000 to 12,590,000 souls; being an increase in the proportion of fourteen per cent; and again, that between the year 1811 and the year 1821, there was an increase from 12,590,000 to 14,370,000: being an increase in the proportion of about 17½ per cent. If your lordships will inspect the returns, you will find that this increase of population has not been confined to any particular district. In England and Wales the proportion of increase has been nearly the same. In Scotland somewhat less; although there the increase has been in the proportion of about fifteen per cent. Your lordships will also find, as of course you would expect, that the increase has certainly been the greatest in the manufacturing counties; but you will likewise find that the increase has not been confined to the manufacturing counties, and that, allowing for the greater tendency to increase in the manufacturing districts, the increase in the agricultural districts bears a fair proportion to the rest of the kingdom. I have thought it indispensable to call your lordships' attention to this fact, because it would be impossible for you to form a just estimate of all the various considerations growing out of the present state of the country, with a view to discover the causes and the probable remedy of the present difficulties, without steadily bearing in mind the great increase which of late years has taken place in our population. It is an extraordinary fact, that in the course of the last twenty or thirty years, the population of this country has increased more than it did in a whole century before; and it is material to observe, that that increase has not been confined to any one class of the community—that it has not been confined to the manufacturing districts—that it has not been confined to any one part of the country—that it has not taken place merely in the North, or in the West; but

that it has shewn itself in every direction in the North, in the South, in the East and in the West; and among the agricultural as well as among the manufacturing classes.

The next point to which I wish to call your lordship's attention, is one on which there can be no difference of opinion as to the fact and its importance, whatever there may be as to its cause:—I mean the *state of the public revenue.* I have the satisfaction of stating—and it will not rest on my statement, but will be proved to your lordships by documents prepared in so clear and simple a manner as to exclude the suspicion of error—that in the course of the last year the revenue exceeded the revenue of the preceding year, by more than a million sterling; an increase, calculated on those articles subject to the same amount of taxation in both years. This increase, my lords, is not only a material fact in itself, but becomes still more so as connected with other important considerations. Your lordships may naturally ask. "But how has this revenue been collected? With what degree of pressure upon the people?" In answer, I can positively assert, that there never was any year's revenue collected with less difficulty, or arrear. Out of about twenty-seven millions of Excise duties to be collected in the year, there is not a deficiency of more than 5,000*l.*; and even of that residue there is a prospect that the greater part will be recovered. So that, not only has the revenue increased—not only does it continue to increase, but it appears to press more lightly on the people than at many former periods. It has not been screwed up by any extraordinary coercion, it has not been wrung from the people by any extreme rigour of the law; but it has been collected with as little difficulty and inconvenience as at any period in the history of the country.

My lords, there is another fact which may properly accompany what I have said of the revenue, and which cannot but be highly satisfactory to your lordships—I allude to the prosperous state of those valuable and praiseworthy institutions, the Saving Banks. The progress made by the Saving Banks in the course of the last year, affords a proof of ease in the circumstances, not of the people universally, but certainly of a very large class of the people. I hold in my hand an account shewing the amount of the sums paid over by the trustees of the several Saving Banks in England and Ireland to the commissioners for the reduction of the national debt in the last, and in the preceding year. I will state only the grand totals. It appears, that in the year ending the 5th of January 1821, the sums received by the commissioners amounted to 707,106*l.*; and that in the year ending the 5th of January 1822, they amounted to 1,205,960*l.* So that, during the last year the sums deposited in these highly important and highly valuable institutions, have increased nearly half a million as compared with the sums deposited in the year preceding—a circumstance which assuredly is not consistent with the notion of very general distress.

Having thus adverted to the state of the population and revenue of the country, I come next to the consideration of the present condition of our *foreign commerce;* and I mention this branch of our national wealth first, not because I regard it as the one of the greatest importance, but because I shall be able to dispose of it in a very few words.

With regard to our foreign commerce, my lords, a considerable increase has taken place in it, in the course of the last year, particularly in that which is the most valuable branch of it, and which is the best criterion of increasing prosperity, the export of British produce and manufactures. The amount of that increase is between two and three millions sterling; the details of which will come more regularly before your lordships, when the annual returns of the exports of British produce and manufactures shall be laid on the table. On this subject I may likewise appeal to the general observation of those of your lordships who are connected and conversant with the manufacturing districts, if there is not, in almost all the important branches of our manufactures an evident improvement. I am aware that in the iron trade, owing to particular causes, the prices are very low and the profits very small; but with that exception, I ask whether there has not been a manifest improvement in the various branches of our manufactures? Although the profits of the master manufacturer may be less than in former times, a favourable change has every where taken place since last year, and labour is every where better paid. In the woollen, the cotton, and the hardware manufactories especially, an increased activity has been manifested; producing of course correspondent ease and comfort among the labourers employed in them.

I now come, my lords, to the consideration of that which has been the subject of the petitions which have been laid on your lordships' table by the noble earl, and by other noble lords—I mean the *existing distress of the agricultural classes of the community*, and the consequent pressure on all the interests connected with agriculture.

It certainly cannot be necessary for me to assure your lordships that I am far from being insensible to the pressure which has existed for a considerable time, and which still exists, in a very large part of the country, on all the concerns of agriculture. But the question for your lordships first to consider is, whether there is any foundation for that opinion which I must say has, as far as I can observe, led to the encouragement of the most idle and injurious hopes and expectations, whether there is any the slightest foundation for the opinion that excessive taxation has been the cause of the distress? I am perfectly ready to court the fullest discussion on that point, were it only to prove to the petitioners the delusion under which they labour. But, before I state the reasons which satisfy me, and which, I think, will satisfy your lordships, that there is no foundation whatever for the opinion which has found its way into most of the petitions, that the pressure on agriculture in this country is the result of excessive taxation, I think it material to shew the important fact, that a similar pressure on agriculture exists in all the other countries of the world. My lords, I do not adduce this fact as an argument of *consolation* to the petitioners; but I adduce it as a most important consideration, bearing on all the points of the question. It is impossible that it should not do so. It is impossible that there can be either dearth or superabundance in the other countries of Europe which (whatever may be the character of our laws to regulate importation,) will not materially affect this country, and influence both the degree of the evil and the nature of the remedy that may be applicable to it. If, for example, there were superabundance in this country, but dearth in a great many of the other countries of Europe, such a state of things would operate as some remedy for the evil. On the other hand, if there should be superabundance in this country, and superabundance also in the other countries of Europe, such general superabundance must materially aggravate the local evil. The fact, therefore, of the actual conditions of the other countries of Europe is, in this respect, both very material in itself, and very necessary to be ascertained before we go into an examination of the internal state of this country, of the causes which have produced that state, and of the remedies to which we may look for relief. I shall, therefore, trouble your lordships with some information on this subject, assuring you that I will not advert to any which does not appear to me to rest upon unquestionable authority.

In the first place, your lordships have on your table the minutes of evidence taken before the select committee of the House of Commons, to whom the several petitions complaining of the depressed state of agriculture were last year referred. Among that evidence, I wish to direct your lordships' especial attention to the testimony of a person who is well known by a very able work which he has published, and whom every one will allow to be a most intelligent individual;—I mean Mr. Jacob. This gentleman has travelled a great deal on the continent, and has taken great pains to inform himself of the present state of agriculture in every country he has visited; and therefore, whatever may be thought of the conclusions which he has drawn from the facts which he has collected; and however your lordships may be inclined to differ from him, with respect to some of those conclusions, with respect to the accuracy of the facts themselves, there can be no doubt; his testimony, therefore, as it appears in the minutes of evidence on your lordships' tables, may be safely relied upon as good authority; and, coming regularly as it does before your lordships, I may refer to it without any hesitation.

Mr. Jacob is asked, with respect to the situation of the landlords in the North of Europe:

"What is the present situation of the landlords in those countries?—Their estates are generally mortgaged, and a great many for sale, and there are no purchasers.

"Do they get any rent?—Very little; nothing but the clipping of their Merino flocks, which they now are selling very low.

"Is the committee to understand that all the corn which has been raised in

those countries, as far as your observation goes, in the two or three last years, has not commanded a price adequate to the expense of growing?—Certainly it has not; most undoubtedly.

"Has the price been materially below a remunerating price?—Where the surplus is so very small it is difficult to calculate what a remunerating price is, and therefore I would rather than give my own opinion, trust to those who have made calculations on the spot, whose calculations are more likely to be accurate than those which I or any foreigner could make.

"Have you any such calculations?—I have.

"Have you them with you?—No, I have not; they are among my memoranda.

"You have stated that Holland and France were two of the countries you visited?—Yes.

"Is the state of agriculture in Holland and France similar to what you have described existing in the North of Germany?—Certainly; in all my conversation with Dutch farmers and landlords, I found they were complaining that they were losing by every thing they sold: the feudal system does not prevail there as it does in Germany.

"In those countries the population not engaged in agriculture bears a very considerable proportion to the whole population in Holland, Flanders, and France?—I am not now speaking of Holland exclusively, which contains little more than two millions; but the kingdom of the Netherlands, containing six or seven millions.

"A considerable proportion of the population of Holland is not agricultural?—In Holland they are not so, but in Flanders they are so.

"What is the state of distress in the kingdom of the Netherlands, and those countries where a different system of farming prevails from that of the North of Germany, and where the proportion of the population employed in agriculture is different?—Wherever I went I heard bitter complaints, particularly on the eastern side of Holland, from Utrecht to the frontiers of Westphalia, which is generally poorish kind of land; a great portion of which was brought into cultivation during the war at a considerable expense; but which has lowered the price, not only of its own produce, but all other produce, to such an extent, that it was selling for a considerable loss.

"Were those poor districts declining in their cultivation?—I did not perceive any, nor is it likely they should decline so soon.

"Do you think they must soon decline?—Almost all the occupiers told me they must; that they were losing by them.

"Did you find the same complaints in the Netherlands, and in France?—I can only speak of France between the frontiers of Germany and Paris; the other parts I went through with too much rapidity, to enable me to form an opinion.

"What is the state of agriculture in that part of France?—Bitterly complaining; I attended the markets of several of the towns, and conversed with the farmers; I found they were all complaining, contrasting the prices they had obtained three or four years before, with the prices they then obtained; assuring me they lost considerably by it. Not knowing what questions might be asked, I have not brought any memorandums I made at the time with me.

"What was the difference in the prices of which they complained, and the prices to which they referred as better times?—At one town, St. Avold, I was assured that the depreciation had been about one-half from the highest period to that time.

"Was the general fall so great?—Not to the same extent any where else.

"What was the effect upon rents in those countries?—The leases, which are short, are all running out, and they expect to renew their short leases at a great deduction from the rents they have paid.

"Was that the expectation in Holland and Flanders likewise?—Yes, universally."

Such, my lords, is the testimony of a gentleman of great intelligence and experience, who had especially turned his mind to the consideration of the subjects on which it was given, and who has visited the various countries of Europe, with the view of obtaining the best possible information on those subjects. His statement, therefore, of the general depression of agriculture throughout the continent, ought to have great weight with your lordships. It is strongly corroborated and confirmed by accounts from other quarters. Since the sitting of the agricultural committee of the House of Commons, other and very important in-

formation on the subject has arisen. I wish particularly to direct your lordships' attention to the address from the chamber of Deputies to the king of France, on the 26th of November last, and to his majesty's answer. In the address is the following passage:—"Organs of the gratitude and filial piety of your subjects, we do not fear that we shall diminish a joy so pure by causing to be heard at the foot of your throne, the respectful complaints of the agricultural interests, the fruitful nurse of France. Their continually increasing distress in the departments of the East, West, and South, proves the inefficacy of the tardy precautions which are opposed to the fatal introduction of foreign corn." I do not quote this passage from the address of the chamber of deputies to shew the opinion of that body as to the *cause* of the evil to which they refer; but merely to prove the *fact* of the existence of extensive agricultural distress in France. The king, in his answer says—"I know the difficulties which attend the sale of corn. Notwithstanding the recollection of a recent dearth, I have for the first time restrained the importation of foreign grain. The laws have been executed; but no law can prevent the inconvenience which arises from a superabundant harvest. The whole of Europe experiences it at this moment."

Here then, my lords, is abundant proof of the fact, that, as far as concerns France, and, according to the evidence of Mr. Jacob, as far as concerns the North of Germany, the same pressure exists on the agricultural interests, as I am ready to admit exists here. I can further state, that in the North of Europe the pressure is still unabated. I have the authority of a letter, which may be relied upon, for saying, that in Hanover the bushel of wheat sells for three shillings and seven-pence; and that of rye and other grain in the same proportion; that butchers' meat is equally cheap; that the prices of provision in most instances amount to little more than half of what would be considered as fair prices, and that it is even difficult to find a market at these reduced prices.

I know it may be said, that this depression of prices probably arises from excessive taxation in other countries, as well as in Great Britain. To some of the countries to which I have alluded this remark may be supposed to apply. But, my lords, however applicable the observation may be to some countries, it is wholly inapplicable to others. There is one country particularly, to which it is in no degree applicable—I mean Switzerland. In Switzerland, taxes are almost unknown—there is no standing army—and no national debt; and yet the distress among the agricultural classes in Switzerland, is as great as in any other part of Europe. I have before me a letter from Switzerland, in which the writer says—"We are suffering greatly from the abundance and low price of all kinds of provisions. There is no money in the country; and the farmers are unable to pay their rents."

Such is the present state of a country, to which none of the arguments, founded on the assumption that excessive taxation is the cause of the distress of agriculture, can apply. The fact, therefore, ought never to be excluded from your lordships' minds, that superabundance, and the agricultural distress consequent upon it, whatever may be their causes, are not confined to one country. They exist in all the countries of Europe. They exist also in the United States of America. Every country, whether agricultural, or manufacturing, or commercial—whether in the north, or in the south—whether enduring severe taxation, or wholly untaxed—seems to be equally exposed to the general evil, from some cause hereafter to be considered—I believe in a great degree from the same cause; but, be that as it may, it is evident that the existing distress is universal.

Having directed your lordships' attention to these facts, I come now to consider the question of agricultural distress, as it affects this country. But, before I state my opinion either as to the causes of the distress, or as to the measures which it may be expedient to adopt for the purpose of relieving it, it is material to observe that whether the evil proceeds from natural or from artificial causes, palliatives and modifications are all that the wisdom of any legislature can apply to such a state of things. A complete and immediate remedy is necessarily beyond our power.

Before, however, I go to that part of the subject, I wish to say a few words on that point, on which so much stress is now laid—I mean *excessive taxation*. Last year the same complaints were made of agricultural distress—the introduction of foreign corn was then assigned as the

principal cause of the distress. The incorrect and partial mode of striking the averages, and other alleged causes of the evil, were also particularised. But at that time, the amount of taxation was never or rarely mentioned as the cause. My lords, I know it to be one of the grossest delusions that was ever attempted to be instilled into the minds of the people, that the cause of the existing evil is to be found in excessive taxation; and I am, therefore, most anxious to consider for a moment, what our real situation in that respect is.

It is rather extraordinary, that, at all the public meetings which have been recently held, with one exception, when a noble baron opposite, very much to his credit, made some remarks upon the subject, it has never occurred to any one to remind his auditors, what really has been the state of the country, with regard to taxation since the conclusion of the war. It is universally admitted by all parties, and indeed, there is an immense mass of evidence from persons connected with agricultural concerns to prove, that agriculture no less than manufactures and commerce, was in a most thriving state in this country, during the latter years of the last war. It has not, however, occurred to many of these persons to recollect that since the close of that war *a fourth of the whole taxation of the country has been remitted.* No less than five and twenty per cent on the whole taxation of the country has been taken off since the close of the war. In 1815, above 18,700,000*l.* were at once taken off. It is true that afterwards taxes were imposed amounting to more than 3,000,000*l.*; but in succeeding years other reductions have been made; and taking the average amount of the taxes to which the country has been subject, since the termination of the war, after deducting the amount of those since imposed, it will be found to be about 17,000,000*l.* less than during the latter years of the war. And what were the taxes thus taken off? Precisely those, the remission of which was calculated to operate the most directly in the relief of the country. A large part of their amount consisted of the property tax. My lords, in saying this, I do not mean to deny that the remission of indirect taxes may eventually cause as much relief to the country at large as the remission of direct taxes; but the effect is, in such cases, slow, and uncertain; it is not felt in the quarter in which it is most wanted, until a considerable time afterwards; sometimes not at all. But here we have the greatest proportion; we have three-fourths of the whole reduction in direct taxes, which must have been felt promptly, since the amount went directly into the pockets of the people.

My lords, I know it may be said, "O, yes, this is all very true; you have reduced the taxation to 50,000,000*l.* from 70,000,000*l.*, which the country formerly paid; but in the present state of things, with the change which has taken place in the value of our currency, 50,000,000*l.* is a more grievous burthen upon the people than 70,000,000*l.* in the state of things which existed before the reduction." And this brings me to the consideration of the arguments founded on the change which has taken place in the value of our currency. It is a subject which has been frequently discussed; but I am quite ready to allow that it ought to be included by your lordships, when you are taking a comprehensive view of the actual condition of the country. The depreciation of our currency at the time of the sitting of the bank committees, in 1819, was not more than four per cent; but making the most ample and extravagant allowance for the depreciation of our currency which took place during the war, I am prepared to contend, that the relief which has since been afforded by the remission of taxes, is fully equivalent to any disadvantage that may have resulted from our return to a metallic standard. And here I must observe, that when the noble lords opposite talk of the depreciation of the currency during the war, they talk most unfairly; because they always refer to the time when that depreciation was the greatest. They select a period of two or three years, when the depreciation was the greatest, and they reason on that as the average depreciation of the war, from the time of the original restriction on the Bank. But I am ready to meet the noble lords even on that ground. I will suppose that the depreciation of the currency throughout the war, was that which it was stated to be during the last three years of it, namely, five and twenty per cent; and I then maintain that, even upon the supposition, that five and twenty per cent has been the alteration in the value of money since the close of the war, the reduction of taxation has been fully equal to it in amount. The noble lords, there-

fore, have no right to infer, that no benefit has been derived from the remission. I say that, even if the depreciation of our currency was as great as the noble lords assert it to have been, I have a right to contend, that all classes of the community have received a direct and substantial advantage by the reduction of taxation. It is admitted, on all hands, that during the years 1812, 1813, and 1814, the interests of the landed proprietors, and the interests of agriculture, generally, flourished more than in any other period of the history of the country. I ask, then, even if the depreciation of our currency during the war, was as great as it is represented to have been, whether, by the reduction of taxation, and the consequent fall of the price of many of the necessary articles of life, the landed proprietors and the agricultural interest generally have not received a benefit equivalent to the full extent of that alleged depreciation? Therefore, my lords, in whatever view we consider the question, it appears that the reduction of taxation which has taken place, and which is greater in amount than ever took place at the conclusion of any former war, is fully equivalent to any change that may have taken place in the value of the currency. Your lordships cannot have forgotten the circumstances under which that sudden and immediate reduction was effected; and that it was by no means in conformity to the opinions and wishes of his majesty's government that the revenue was so hastily and materially curtailed.

But, my lords, that we may form a more correct judgment on the question of taxation, let us look at the condition of this country before the breaking out of the French war, and let us look at its present condition.—Let us first look at the amount of taxation now, and compare it with what it was previous to the year 1792. Previous to the year 1792, the whole revenue of Great Britain was between 16,000,000*l.* and 17,000,000*l.* At present, notwithstanding the great reduction of taxes that has taken place, it is about 50,000,000*l.* But under what circumstances has this increase taken place? Has not the wealth of the country increased in as great, or a still greater, proportion than the revenue? Is it not evident, that the chief evil of taxation, I mean, its tendency to retard the growth of the capital and resources of the public, has not been operative in our case? My lords, it is not the mere amount of taxation in a country which constitutes that evil. The amount of taxation must always be considered with reference to the proportion which it bears to the produce and wealth of a country. For example, let us compare Great Britain and Ireland in this respect. The revenue of Great Britain is 50,000,000*l.*, collected from a population of 14,000,000. The population of Ireland is nearly 7,000,000; and yet the revenue of Ireland does not exceed 4,000,000*l.* It appears, therefore, that from the population of Ireland, there is not a sixth of the revenue collected, as from the same amount of population in this country. And yet the taxation of that country in respect to its capital, may be quite as considerable—it may bear quite as severely, as the taxation in this country, under the different circumstances in which the two parts of the United Kingdom are placed. The amount of taxation, therefore, must always be compared with the amount of wealth in a country, before we can determine how far its operation is injurious.

Now, my lords, if we look at the commerce and wealth of this country at the present moment, and compare them with its commerce and wealth previous to the year 1792, we cannot for a moment doubt the ability of the country to bear the increased taxation which has taken place since that time. There are few of your lordships who recollect the circumstances of the period to which I refer. There are fewer still who, having participated in the discussions which took place at that period on the various financial and political interests of the country, are thereby enabled to calculate and appreciate the present condition of all the branches of the national industry, as compared with their condition antecedent to the French revolution. But, my lords, we have documents on the subject which cannot deceive us. Those documents will show what the real state of the country was at that period, as compared with its present condition. They will show how large a part of the present wealth of the country has accumulated since, and is absolutely a new creation. This fact is so undeniable, that any man who lived in this country prior to the year 1792, and who, having been absent from it ever since, were now to revisit it for the first time, would find the whole face of the country entirely altered.

I will take the average return of the exports and imports for the three years antecedent to the year 1790, and the average return for the last three years. The average amount calculated at their official value, of British manufactures exported during the three years ending the 5th of January, 1787, the 5th of January, 1788, and the 5th of January, 1789, was 12,852,780*l*. The average amount exported during the three years ending the 5th of January, 1819, the 5th of January, 1820, and the 5th of January, 1821 (a period including, as your lordships will observe, an unfavourable year—that of 1820) was 40,146,245*l*. The average amount of imports for the three years, ending the 5th of January, 1787, the 5th of January, 1788, and the 5th of January, 1789, was 17,884,104*l*. The average amount for three years ending the 5th of January, 1819, the 5th of January, 1820, and the 5th of January, 1821, was 36,759,650*l*. Here there is an incontrovertible proof, that in the period which has elapsed since the commencement of the last war, our exports have been more than trebled; that they have been nearly quadrupled; and that our imports have been nearly trebled.

If, my lords, we also take into our consideration the other branches of our industry, inseparably connected with the prosperity of our commerce; and the produce of which has not only kept pace with the great increase of our population, but has very much surpassed it, we shall feel that the question as to the great increase of the wealth of the country since the year 1792, notwithstanding the mighty exertions which, in the interval, we have been compelled to make, is completely set at rest.

Adverting now to the state of agriculture, it cannot be necessary to remind your lordships of the vast number of enclosure bills which have passed since the year 1792. Indeed, every man's observation, in passing from one part of the country to another, must be sufficient to convince him of the great and favourable change which has taken place in that respect. Whole districts, and immense tracts of hitherto unproductive land, have been broken up and tilled. In whatever direction we travel; whether we go to the north, to the south, or to the west, we find what were formerly dreary wastes, and commons, and sheep-walks, now brought into cultivation. I admit that in many instances this has been a forced operation; but what an augmentation has it occasioned of public and individual wealth! Let your lordships also consider the state of the old lands, which were in cultivation before the period to which I have alluded; how greatly they have been improved, and how considerably their rents have been advanced, continuing even at this moment of depression, far above the scale of 1792, notwithstanding the recent reductions, which I confess I think it a great misfortune were not made sooner. All these facts prove the great increase of agricultural wealth.

But, my lords, there is another branch of the question which shows the great increase of the national wealth, even with reference to the great increase of our population, in a manner that can admit of no deception. Let us examine what has been the increase in the great exciseable articles of consumption. I am the more anxious to enter into this inquiry, because I know an impression has gone abroad, that on one particular article subject to the Excise, there has not been an increase of consumption in any degree proportionate to the increase of the population and wealth of the country. There are certainly some articles respecting which it is extremely difficult to draw a correct conclusion from the amount of their consumption; because that consumption may depend very much on an alteration in the tastes and habits of the people. That alteration may be injurious, or it may be beneficial; but still it is an alteration. It may arise from artificial causes; it may arise from causes gradually growing up in the lapse of years, but it is not the less real on that account. Malt is one of those articles. The consumption of malt does not appear to have kept pace with the increase of population; but I shall show you from the example of other articles as highly or more highly taxed than malt, that this need not be ascribed exclusively or principally to the augmentation of the duty.

And first, with respect to one of those articles which, for the last forty or fifty years, has been in most general use;—I mean tea. In the years 1787, 1788, and 1789, tea was subject to a duty of only thirteen per cent. That duty has since been raised to 100 per cent, which is its present amount. Yet the increase of consumption has, notwithstanding, been

very considerable. The average quantity of tea charged with duty during the years ending the 5th of July, 1787, the 5th of July, 1788, and the 5th of July, 1789, was 16,626,855 pounds. The average quantity during the years ending the 5th of July, 1819, the 5th of July, 1820, and the 5th of July, 1821, was 22,656,822 pounds; being a full proportion to the increase of population during the interval.

The next article that I shall mention is one on which there will be less doubt or difficulty as to its being a good criterion of the great increase of consumption that has taken place—I mean candles. In that article, as it is not one of food, there cannot be supposed to be an alteration in the consumption arising from any change in the tastes or habits of the people. It is but fair, however, to state, that in the year 1792, two or three years after the period which I have chosen for one of my averages, a halfpenny a pound was taken off the tax upon candles, at the suggestion of Mr. Pitt. Such a reduction cannot have much affected the consumption; but I thought it right to mention it. The average quantity of candles charged with a duty for the three years ending the 5th of July, 1787, the 5th of July, 1788, and the 5th of July, 1789, was 49,908,952 pounds. That of the three years ending the 5th of July, 1819, the 5th of July, 1820, and the 5th of July, 1821, was 83,559,087 pounds. This shows an increase in the consumption far beyond that on which we might calculate, in consequence of the increase of population; for if the increase in the consumption of candles had only been equal to the increase of population, the average quantity consumed in the three last years, would have been only about 68,000,000 pounds, whereas it is above 83,000,000 pounds. Such an increase clearly indicates the improvement that has taken place in the comforts and enjoyments of all classes, and especially of the poorer classes of society.

The next article likewise is one, respecting which there can be no fallacy, and it is one likewise of universal consumption—I mean soap. From the return which I am about to read to your lordships, the quantity of soap on which drawbacks are allowed to the manufacturer is excluded. It comprehends only the soap used for domestic purposes.—The average quantity of soap charged with duty in the three years ending the 5th of July, 1787, the 5th of July, 1788, and the 5th of July, 1789, was 292,644 cwt. The duty on hard soap is higher at present than it was at that period; but, nevertheless, the average quantity charged with duty, in the three years ending the 5th of July, 1819, the 5th of July, 1820, and the 5th of July, 1821, was 643,963 cwt. being again an increase in the consumption, likewise far beyond that which the increase of population might seem to have required. If the consumption of soap had increased only in proportion to the increase of population, it would not have exceeded 408,000 cwt. whereas it has amounted to 643,963 cwt.

Leather is the next article to which I shall refer. The duty has been doubled on tanned leather during the war, and yet the increase in the consumption of leather has been very nearly proportionate to the increase of population. The average quantity of tanned leather charged with duty in the three years ending the 5th of July, 1787, the 5th of July, 1788, and the 5th of July, 1789, when the duty was $1\frac{1}{2}$*d.* a pound, was 32,963,376 pounds. The average quantity in the three years ending the 5th of July, 1819, the 5th of July, 1820, and the 5th of July, 1821, when the duty was 3*d.* a pound, was 43,423,399 pounds.

The next article to which I would wish to advert is salt; but of this article it is very difficult to form an accurate estimate, in consequence of the alterations which have from time to time been made, as to the mode of taking the duty. It is proper, however, to state, that the increase in the consumption of salt has not been in proportion to that of the other articles which I have enumerated, or to the increase in our population, being, as far as can be ascertained, not more than ten per cent.

The last exciseable article, to the consumption of which I shall call your lordships' attention, is bricks. On bricks, there has been a very considerable increase of duty. Nevertheless, the average quantity charged with duty in the three years ending the 5th of July, 1787, the 5th of July, 1788, and the 5th of July, 1789, was only 631,414,709; while the average quantity, in the three years ending the 5th of July, 1819, the 5th of July, 1820, and the 5th of July, 1821, was 1,003,066,463; being an increase, very much indeed beyond what the mere

increase of population would have demanded, which might have been only 886,000,000.

I am aware, my lords, that these details must be fatiguing to your lordships, but I have, nevertheless, entered into them, because it is extremely material, on a subject, involving such important considerations, that your lordships should be in complete possession of the facts of the case. I have stated to your lordships, not merely the actual amount of the existing taxation, but its amount, as compared with the wealth and population of the country. I have shown your lordships, that the alteration in the value of the currency can have had no unfavourable effect in increasing the burthens on the country, for that it has been more than counterbalanced by the reduction of taxation. I have also shewn your lordships what was the state of the country antecedent to the war, and have compared that state with its present condition. In the course of my observations I have likewise shewn, that the extreme depreciation of our currency existed only during a short period of the war, and that the amount of that extreme depreciation, which lasted only for two or three years, ought not to be taken as the average during the whole period of the war.

Under all these circumstances, my lords, I ask, and I wish every one of your lordships would seriously put the question to himself, if not here, in his own closet, after having consulted the various details with which I have troubled you—what further relief the country can, or ought to receive from any practical reduction of taxation? I am far from saying that a reduction of taxation is not desirable, upon other grounds; but I contend that a reduction of taxation at the present moment, and under the present circumstances, would afford little, if any relief to the existing distress.

I begin, by assuming, that there is no wish or intention to be guilty of injustice by violating the public faith pledged to the public creditor. If I were not allowed to assume this position, I would say to the agriculturist—"You will gain no relief by your injustice, because, if you break faith with the public creditor, you will ruin one great branch of consumers, by your endeavours to benefit another, and consequently affect, at least in an equal degree, all classes of producers, and especially yourselves, the cultivators of the soil."

What the agriculturist really wants is a market. Ask the farmer in his sober reason, when he is divested of the delusions instilled into him by the sophistry practised at public meetings, what it is that he really wants, and he will tell you "a market." But it is not in the power of parliament immediately to give the farmer a market adequate to his wants. One great cause of the diminution of the demand, and of the narrowing of the farmers market, is the great but necessary reduction which has taken place in the public expenditure. I know that I shall be met here by the argument of my noble friend opposite, (lord Holland)—an argument, the weight of which I am by no means disposed to undervalue. My noble friend will say, "You first created an unnatural market for the farmer during the war, and then you suddenly deprived him of it." Undoubtedly, my lords, that argument does in a main degree disclose the cause of the distress which exists not only in this country but throughout all Europe, and in other parts of the world. During the war, and especially during two or three years of the war, an expenditure took place which, if it had continued, must have produced the most fatal consequences, but which was called for at the time by considerations of sound and indispensable national policy.

The effect of that expenditure certainly was, to create for the farmer an immense market for his produce. The cessation of the demand must necessarily be followed by effects injurious to him. During the last years of the war, the annual demand of the government of this country on the market, for meat and other provisions, exceeded 2,000,000*l.*; at present it does not reach 200,000*l.* Your lordships may easily conceive the effect of such a reduction in the demand for the farmer's produce. And this is a most material point to consider; because, although I admit that such a reduction of the public expenditure as is consistent with justice, and with the safety of the state, can alone place public affairs on a sure and solid foundation; yet it ought not to be forgotten that the immediate effect of that reduction must be, to aggravate the distress of the farmer, by diminishing the demand for his produce; for, as I have already observed, it is a market and a consumer that the farmer really wants.

The question, my lords, is not whether, if we were about to new model the state,

we should choose to distribute property as it is now apportioned; or, whether we should choose to incumber ourselves with a large national debt, or with the extensive mortgage on the land and capital of the country, which is the real and essential nature and character of that debt. We are not to consider what line of policy we should wish to pursue, if we were a new state, or in a different condition. We are in a situation of affairs which has gradually grown up to what it is, and to that situation we must accommodate ourselves. There are two great classes of individuals in the country, deriving their support from the land—the immediate possessors of the soil, and those who possess a mortgage on that soil. If that latter class were to be destroyed, or if any large portion of them were to be destroyed or injured, you would destroy or injure a very considerable body of consumers; which, so far from being a benefit to the first class would prove a material aggravation of their evils, by diminishing the demand for the produce of the land itself.

Let us see, then, my lords, what the real question at issue is. We are all agreed in assuming it as a first principle, that good faith must be maintained with the public creditor. We are also all agreed, that the establishments of the country ought to be reduced as low as is consistent with the safety of the country, and of our monarchical constitution. The exact amount of that reduction will best be determined by an examination, into which at some future period I shall be very ready to go; being as cordially disposed as any noble lord opposite to carry it as far as it ought to be carried, in justice and sound policy. But, my lords, if we are agreed (or so nearly agreed as to render the difference inapplicable to my present argument) on the two main points which I have mentioned, the question is—whether we shall remit in taxation the excess of our income over our expenditure; or in other words, whether we shall apply that excess, amounting to about 5,000,000*l.* to the maintenance of a sinking fund, or to the reduction of taxation. This is the point to which all our attention must now be directed. I shall first consider it merely as a question of profit and loss; on which I shall endeavour to state the argument, as clearly as I am able.

In the first place, my lords, let us inquire what would be the advantage to the country, and above all, to that particular class interested in agriculture, of the reduction of 5,000,000*l.* of taxes. I have already shown the effect of reducing 18,000,000*l.* But what proportion does the sum of 5,000,000*l.* bear to the whole revenue, and to the whole income of the country? The annual income of Great Britain, after making allowance for the reduction of rents, and the diminution of the profits of trade since the war, may be stated to be from 250,000,000*l.* to 280,000,000*l.* The annual public revenue is 50,000,000*l.* The proposed reduction of taxation, therefore, would amount to about a tenth of the existing taxation of the country, and to about a fiftieth of its income. This is the utmost extent to which the reduction of taxation can be carried. Does any man seriously believe that this would afford to the agriculturist a relief which would be an adequate substitute for that which he wants—a market for his produce? No doubt it would be good as far as it went; but no man can suppose, that it would be felt as a serious benefit; and for some time, perhaps for some years, it might not be felt at all. So much for the profit which would accrue from the remission of those 5,000,000*l.* in taxation. But what must we set against that profit? What would be the loss which that reduction would occasion? No less than the abandonment of the sinking fund—that fund, which, I maintain, whatever may be its amount, is the great support of public credit. The immediate consequence would be, that the interest of money throughout the country would be raised instead of being lowered. Let your lordships consider how the agricultural interests would be affected by such change. The principal advantage of low interest is, that it enables those who are in difficulties to relieve themselves by borrowing upon easy terms. The loss, therefore, occasioned by this remission of taxes would be much greater than the gain, for the gain would be slow and imperceptible, while the loss would be most perceptible, and it would bear the hardest upon that class which is the most distressed, labouring, as they do, under incumbrances affecting the rentals of their estates. Not only, my lords, should we be losing on one side what we were gaining on the other, but we should be acting to the prejudice of those, who, from their situation, are most entitled to relief, and

who may be benefited even in their private concerns, by the support of our public credit. If, therefore, we consider it as a mere question of profit and loss,—whether, with a view to individual relief from existing pressure, we shall relinquish that which is the great bulwark of public credit, for the purpose of reducing taxation to the amount of 5,000,000*l.* I cannot conceive that any of your lordships will hesitate a moment with respect to his decision.

My lords, while I am on this topic, I wish to say a few words on the history and nature of the sinking fund. I am the more anxious to do so, because I perceive that some very great misapprehensions have existed respecting it. I have been too many years in public life to concur with a certain class of persons with whom it seems to be the fashion to undervalue and decry the importance and efficacy of a measure, which some of the greatest statesmen and the ablest financiers that this country ever produced, united in establishing. I am old enough, my lords, to remember the origin of the sinking fund, although I had not the honour of being in parliament at the time. I know that it was a measure on which Mr. Pitt peculiarly prided himself. But although it was introduced by Mr. Pitt, it was not by him and his friends alone that it was supported, for it received at that time the cordial approbation of all persons, of all parties and descriptions. I do not believe that party has often run higher in this country than it did in 1786; but so far was this measure from being objected to by those who were regularly opposed to the administration of that day, that no one extolled it more than Mr. Fox; who not only approved of the principle of the measure, as pregnant with great and permanent advantage to the country, but when its details came to be considered, lent the assistance of his powerful mind towards its efficiency, by offering several important suggestions which were very thankfully received. In all the discussions of that period, and in all the subsequent discussions in which the subject of the sinking fund was introduced, down to the death of those great men, there was no occasion on which it was not as much extolled by Mr. Fox as by Mr. Pitt, its author and father. It was equally approved by Mr. Sheridan, who used to take a prominent part in the financial discussions of those days. I am perfectly aware, however, that some new lights have since arisen upon the subject. The first doubts, I believe, that were thrown upon it were brought forward in a very ingenious work, of a noble lord now absent (the earl of Lauderdale), published about the year 1803 or 1804. There afterwards came out a treatise on the subject, written with great ability, by Dr. Hamilton. I admit the ingenuity displayed in Dr. Hamilton's book; but his reasoning has little or no bearing whatever on the proposition which your lordships' are this night to consider. All Dr. Hamilton's reasoning is directed against the maintenance of a sinking fund in time of war; which he contends to be so much loss to the country without any adequate advantage. This position Dr. Hamilton maintains with considerable talent.—Having applied my mind to the examination of his arguments with as much freedom from prejudice as possible, I must fairly say that, notwithstanding all the ability which Dr. Hamilton manifests in the conduct of his argument, and the weight to which the sentiments of such a man are entitled, admitting the force of his reasoning in some respects, I am, nevertheless, decidedly of opinion, that it would be highly injurious to the country to relinquish the operation of the sinking fund, *even during war*. I am decidedly of opinion that, *even during war*, the good derived from it much overbalances any inconvenience or loss that it may occasion. For, my lords, this is not a mere question of profit and loss. We must look at the moral effect produced. We must look at the effect which the sinking fund produces on public credit. We must look at the way in which it multiplies and augments our resources; and enables us in any war, as it enabled us in the last war, when we were contending for our existence as a nation, to raise money with facility, by way of loan, instead of being compelled to have recourse to the more burthensome, and, at times, scarcely practicable operation of raising a large part of the supplies within the year. Such, my lords, is the deliberate opinion which I entertain of the value of a sinking fund *in time of war*, to which question alone the arguments of Dr. Hamilton are fairly applicable. But we are now to consider what is the value of a sinking fund *in time of peace*. We are now in a state in which it cannot be justly said, as it has been said by some persons who have followed

in the track of opposition to the sinking fund that we are receiving with the right hand and paying with the left. When the sinking fund consists of a clear surplus of revenue above the expenditure, applied absolutely to the reduction of the debt, such an assertion is groundless and absurd.

Consider, my lords, what must be the situation of the country, circumstanced as it now is, if the sinking fund should be abandoned. Are we to go on, interminably increasing our debt in time of war, and abstaining from all reduction of our debt in time of peace? Is that the state in which any one would desire to see the country? No doubt, we all wish to avoid war if possible. But, in the course of human events, wars will occur. War must necessarily increase the debt, and in peace, therefore, we ought to use every reasonable effort to reduce it. Let your lordships look at the situation of the other countries of the world. Induced by our example, every country that has created a debt, has likewise created a sinking fund. Those countries especially, the proceedings of which, we must always regard with particular interest—I mean France and America—both have sinking funds. France has a sinking fund, much greater, in proportion to her debt, than ours; and the sinking fund of America, it is estimated, will wholly redeem her debt in twenty years. Will your lordships, after having been the first to set the example of establishing a sinking fund, be the first to abandon it? Will you proclaim to all the world, that your means are so reduced—that your credit has fallen so low, that you must give up the sinking fund, the surest support of the national honour, and the best guarantee of the national engagements? Will you, while your debt is much greater than that of any other country in the world, allow, that you intend to increase your debt interminably during war, and to take no means of reducing it on the restoration of peace? My lords, in every view of the subject—if we regard only our policy, without adverting to our sense of justice—I do most earnestly hope, that you will determine to maintain a sinking fund. I hope it, in order that we may support our own character and consequence in the eyes of the world. I hope it for the sake of our posterity; that, if we leave them a large debt, we may, at least, leave them the means of gradually reducing it. These are considerations which must press the more strongly upon us, when we recollect that, as I have already proved, if we give up the sinking fund, we gain comparatively little by the sacrifice. I cannot believe, therefore, that the good sense—I cannot believe, that the good feeling of this country are at so low an ebb, that, for the sake of accomplishing a reduction of taxation, the effect of which would scarcely be felt by the community at large, they would consent to the destruction of that fund, the credit of which, enabled us to get through the long and arduous contest, in which we have been engaged, with unblemished honour and ultimate triumph.

Having disposed of that part of the question which relates to taxation, I come now, my lords, to consider whether any, and what other measures may be advantageously adopted for the relief of the existing agricultural distress. I have already stated my conviction that that distress cannot justly be ascribed to excessive taxation, and that no reduction of taxation which can possibly take place would operate in affording an adequate, or even a sensible relief. This, my lords, is my firm opinion. I have on former occasions stated to your lordships, what I believe to be the cause of the distress, under which agriculture labours throughout all the countries of Europe, and especially in this country. I have stated on former occasions, and I again state, that I believe it to be attributable, both here and in other countries, to that excitement created by a war in which both this country and all the other countries of Europe had to contend actually for existence as independent nations. That excitement, and the wasteful consumption incident to all wars, but more particularly to such a war, naturally led to a most extensive production of the greater part of the articles of the soil. In this country, it forced into cultivation lands which, in ordinary times, could not repay the fair profits of the capital expended on them. Why should not over-production of the articles of agriculture produce distress as well as over-production of all the other articles of trade? In sugar, and other West India commodities, in iron, in the minor articles of trade we frequently see it, and why should we be surprised at its occurrence in the produce of the soil, when the demand is sufficient to account for it? Does not every one know, that during the last war a great portion of the

poor land of the country was forced into cultivation in the manner I have described? Does not every one know that the situation of Ireland tends materially to aggravate the evils incident to immense production in Great Britain? My lords, when the corn bill was introduced into parliament, I declared that, in my opinion, it was less an advantage to British than to Irish produce; and what is the fact? By the returns on your lordship's table, it appears there has been a considerable importation of corn from Ireland ever since the Union; but that within the last two or three years the importation of corn from Ireland has been much greater than ever; that it has been greater even than I anticipated: for that it has exceeded what some years ago was the common average importation of corn into this country from the whole of Europe! These, my lords, are facts which cannot be controverted, nor can their effects be averted by any legislative enactment. The same causes have been at work in Ireland as in England; and now the rich lands in both parts of the united kingdom press on the poor lands, just as the rich settlements acquired during the war, on the coast of South America, press upon some of our ancient but poorer colonies in the West Indies.

A noble earl, who presented a petition the other evening, complaining of agricultural distress, said, that the existing low prices were beneficial only to Jews and jobbers. My lords, I was astonished at this assertion from such a quarter. There can be no doubt, but that it is the duty of government, and of parliament to hold the balance between all the great interests of the country, *as even as possible*. I have so much respect for agriculture, however, that I will even say, that if we were justifiable in throwing the weight of a hair or a feather into one scale rather than into another, it should be thrown into the scale of agricultural interest. But, my lords, the agricultural is not the *only* interest in Great Britain. It is not even the *most numerous interest*. Will the noble earl say that it is not a material advantage to the other classes of the people to be enabled to buy meat at four pence a pound, instead of eight pence, and to purchase bread and some of the other necessaries of life on terms proportionably cheap? Will the noble earl say, that to the various classes of consumers in this country such a reduction of prices does not operate as a most essential and sensible benefit? I allow that this advantage to the consumer may be carried too far. I allow that the benefit may in consequence lead to a re-action that may more than countervail the present advantages. I allow that it may be desirable therefore, that the manufacturer should pay more, and the farmer receive more, for the produce of the soil. But, undoubtedly, the consumer is in the mean while a gainer by the reduction, and it is absurd to contend that he is not so. The truth is that the thing must be left to set itself right. Two causes are continually at work to this effect. On the one hand, the great cheapness of the necessaries of life will increase the consumption of them; and on the other hand, the absence of a sufficient profit to the producer will diminish their production. These two remedies, applying themselves at the different extremities, will at length, meet in some point of fair mutual advantage to both parties. But this must be the operation of time, and of natural causes. When, however, the noble earl says, that the low prices, incident to the distress which agriculture suffers benefit no man, I answer that, although I sincerely wish the distress did not exist, I cannot be blind to the fact that they certainly do benefit a *great majority* of the people. Do they not benefit the annuitant and the mortgagee, who were, during the war, the principal and almost the only sufferers. In all large towns, they have occasioned considerable benefit by the fall of the poor-rates. I have been at some trouble, my lords, to ascertain the real state of the case, and I can pledge myself to the accuracy of this statement. In this metropolis, in which your lordships are now sitting, never were the lower orders of the people in a better condition than they are at the present moment. So that, when the noble earl says that the low prices incident to the distress of the agriculturist have not been beneficial to any body, he certainly labours under a great mistake; for that distress, however much to be lamented in itself, is accompanied by a considerable benefit to a great proportion of the people.

I come now, my lords, to explain to your lordships, the view which his majesty's government take of the measures which are calculated to alleviate that distress which cannot be wholly removed.

In the first place, my lords, I have already stated to your lordships that a con-

siderable reduction has been effected in the public expenditure. If it had not been for extraordinary charges, growing out of the disturbed state of Ireland, and a deficiency in the funds of Greenwich Hospital, that reduction would have amounted very nearly to two millions. As it is, its actual amount exceeds a million and a half. Whether or not his majesty's government have gone far enough in these reductions, it is for parliament to decide. But in the mean time, I wish to refer your lordships to the estimate of the expenditure of the United Kingdom contained in the report of the committees of finance of the House of Commons of the year 1817. That committee, after examining the demands of the public service, and discussing the various branches of the public expenditure, drew up a Report, in which they stated 17,350,000*l.* to be the expenditure below which it was not probable the establishments of the country would be reduced. The estimates for the present year, however, are drawn on a scale of still greater retrenchment. Their amount is only 16,148,346*l.*; thus exhibiting a reduction of 1,201,654*l.* below the estimates in the report of the committee of finance. Although I will not affirm, that every article of the public expenditure has been reduced to the least possible *minimum*, yet I am not ashamed to say, my lords, that a strong sense of the difficulties of the country, and an earnest wish, as far as possible, to relieve them, have induced his majesty's government to push retrenchment further than, I fairly confess, would, under other circumstances, have appeared to me to have been altogether convenient or adviseable, with respect to some of the establishments of the country.

The next measure to which his majesty's government have directed their attention, is one, which they have always considered an indispensable object, the *securing of a Sinking Fund of 5,000,000l.*, conformably to the resolution of parliament in 1819. I sincerely hope and believe, that the surplus of the public revenue over the public expenditure will afford us the means of accomplishing that important object.

The next consideration which has occupied the minds of his majesty's government, wishing most anxiously as they do to afford relief to the country by the reduction of taxation as far as may be consistent with the maintenance of the great principle of supporting public credit, is *a reduction of the higher rates of interest on the national debt;* and of applying the money thus saved, to the reduction of taxation. Without entering further at present into the details of the subject (which are probably known to your lordships), I will content myself with saying, that, as far as his majesty's government have hitherto proceeded in their undertaking, the means which they have adopted appear likely to accomplish the object in view, without the least injustice to the public creditor; and to secure above twelve hundred thousand pounds a year for the purpose to which I have alluded. The tax which, on various accounts, appears to his majesty's government to be the one, the remission of which is best calculated to give relief to the distressed portion of the community is, a part of the malt tax; and it is intended, therefore, to propose the remission of so much of the existing duty on malt, as will be covered by the sum saved by the reduction of the interest of the debt.

And here, my lords, I may be permitted to hold out the prospect of further relief in future years. We may look forward, as the funds increase in price, to a further reduction of the interest on the debt. We may look forward to a considerable improvement in the revenue, the result of the progress of manufactures and commerce. We may especially look forward to a diminution of that great burthen upon the country, which is called the dead expenditure, consisting of half-pay, pensions, and other allowances; and which, in consequence of the duration of the late war, has swelled into extraordinary magnitude. This charge, which we are bound by law and by good faith to respect, amounts to within a fraction of 5,000,000*l.*, a sum, which, at no very distant period, would have defrayed the expense of the whole of our naval and military services in time of peace. The measure which imposed on the country a considerable part of that burthen, certainly did not meet with my approbation; but, nevertheless, it is an obligation which we are pledged by law and by good faith not to violate. However we may certainly look forward to the gradual reduction of this burthen, it must be considered as consisting only of life-charges, in the nature of annuities; that it is continually diminishing in amount; and, that although that diminution has been hitherto slow, it must soon be rapidly accelerated.

There is a point connected with this part of the subject, on which, my lords, I wish to say a few words. In the year 1819, parliament came to a resolution, that it was expedient for the public service, and for the maintenance of public credit, that there should be a sinking fund of at least 5,000,000*l.* in amount. At that time, I expressed my opinion, that it was highly desirable the sinking fund should amount to one per cent on the whole capital of the debt. But, my lords, we must always draw a line of distinction, between that which is desirable, and that which is indispensable. The proper sum necessary for supporting public credit, is, in some degree, an arbitrary question. At any rate, parliament ought steadily to adhere to its resolution of applying the surplus of 5,000,000*l.* to the sinking fund. Whether the gradual accumulations of this fund ought to go to the increase of the sinking fund, or the reduction of taxation, is a question, which, it will certainly be open to parliament to determine according to circumstances. It appears to me, not to be advisable to lay down any absolute rule by anticipation, which, on the one hand, may prevent parliament from appropriating that accumulation to the sinking fund, until the fund has reached a certain point; or, on the other hand, may preclude parliament from applying it to the relief of any incidental pressure on the country.

My lords, I now come to a proposition, on which a considerable difference of opinion has been expressed by the noble marquis opposite, and by other noble lords—I mean the loan of 4,000,000*l.* from the Bank of England to his majesty's government, for the purpose as it was supposed of enabling his majesty's government to make such advances to parishes, on the security of their rates, as may conduce to the relief of the agricultural interest. But before I explain the views which his majesty's government entertain on this subject, I think it necessary to recall your lordships' attention to what passed in 1819, when the bullion committee recommended the resumption of cash payments by the Bank.

Your lordships well know, that on that occasion the connexion between his majesty's government and the Bank of England, and the advances, which had been made by the latter to the former, became the subjects of much discussion. Previously to the meeting of parliament, it was proposed by my right hon. friend the chancellor of the exchequer and myself, to repay to the Bank of England five or six millions of those advances; a sum which we had reason to believe would be sufficient to enable the Bank to carry into effect without any risk or embarrassment, the intended measure. In the bullion committee, however, the directors of the Bank urged so strongly the repayment of a larger portion of those advances; they urged so strongly the repayment of the sum of 10,000,000*l.*, that although I believe most of the members of the committee, and amongst them two noble lords opposite, thought that the demand made by the Bank was unnecessarily large; yet at the same time, in consideration of the important operation which was about to take place, it was conceived to be better that the Bank should have to the full extent of what the directors imagined necessary to execute the operation in question with perfect safety. Your lordships may recollect that after the report of the bullion committee had been presented, I stated that I thought the demand made by the Bank was unnecessarily large; but that I was reconciled to it by what passed in the committee, with respect to the probability that, in the event of the general circulating medium being found insufficient, the Bank would lower their rate of discount. It was, allowed, my lords, on all hands, that if it should turn out that the circulating medium was inadequate to the wants of the country, it would be better to increase it through the medium of discount, than by a further issue of exchequer bills; and if your lordships will look at the evidence given before the bullion committee of 1819, by one of the most experienced directors, you will find, that on the question being put to him, "In the event of the issues proving insufficient what mode the Bank could adopt to increase their issues;" the answer was,—"by discounting to the public at a lower rate of interest." Under those circumstances, and with that expectation, I became reconciled to the demand made by the Bank.—Now, my lords, although I am ready to give the Bank of England full credit for the purity of their motives, and to believe that they always act on the best judgment they are able to form, for the advantage of their constituents and the public, I still must say, that it does appear very extraordinary to his majesty's government, and I imagine must appear

very extraordinary to your lordships, and to the public, that at this moment, when the market rate of interest is not more than four per cent, the Bank refuse to discount at a lower rate than five. What renders this circumstance the more inexplicable is the fact which is known to every body, that from a period of three or four months after the presentation of the report of the bullion committee in 1819, the course of exchange with foreign countries has been highly favourable to this country. An immense quantity of treasure, therefore, must have been flowing into the coffers of the Bank of England. The quantity of gold thus locked up by the Bank, and their refusal to discount at less than five per cent, must certainly be extremely injurious to them, and if to them, to the public at large, more especially to that distressed portion of the public, the agricultural interest.

Under these circumstances, however, and finding it impossible to induce the Bank to lower the rate of interest on their discounts, conformably to the expectation which was held out in 1819, his majesty's government resolved on borrowing 4,000,000*l.* on exchequer bills from the Bank; with a view of applying that sum, in some manner, to the relief of the country. Whether that can best be done by lending money to the different parishes on the security of their rates, or by advancing money for the carrying on of public works, conformably to the measure which was advantageously resorted to some years ago, or whether it may not be advisable to have recourse to both those operations, are questions which yet remain to be determined. His majesty's government feel that no sound objection can be made to the principle of the proposed measure, which is the same, although the application may be different, as that which was recognised and adopted some years ago, when exchequer bills to a larger amount were issued for the relief of the manufacturing and commercial distress. The chief object which his majesty's government have in view, is not so much the adoption of this or that particular measure, as the adoption of any measure which will have the effect of getting these 4,000,000*l.* into general circulation. We do not imagine, my lords, that this proposition will immediately relieve the distress of the country. We do not expect that it will work wonders. But we trust, that it may palliate an evil, which only natural causes and the operation of time can wholly remove. This sum, be it remembered, is not wanted for the supplies of the year. It is not wanted for any government services. The only object of his majesty's government is, to extend and quicken the general circulation. In order to prevent the occurrence, from this measure, of any inconvenience or difficulty, which might affect the present system of our currency, it is proposed to be one of the regulations accompanying it, that, in the event of any unfavourable turn in the exchanges, the Bank shall have the power of recalling each million, at an interval of three months, on giving notice of their intention to do so; a provision which, I conceive is fully sufficient to guard against all possible danger on that score. The whole measure is an expedient, which, from the first, appeared to me to be well calculated to mitigate the evil which most loudly calls for relief; and nothing that I have yet heard upon the subject has tended to alter my opinion. Under other circumstances, such a measure might have been rendered unnecessary. If, for instance, the Bank had consented to lower the rate of discount, such a measure might not have been required; but, under the circumstances which I have described—the Bank still persevering in their refusal to discount at a less rate than five per cent —I conceive, that it is a measure calculated to alleviate, in some degree, the existing distress.

There is only one other point on which it is necessary for me to trespass on your lordships patience, and that is, the present state of the corn laws. Your lordships are aware, from the votes of the House of Commons on your table, that a committee has been appointed in the other House of parliament, for the purpose of continuing those inquiries which were instituted in the last session of parliament on this subject. I should deceive your lordships, if I stated it as my opinion, that any material or immediate relief can be afforded by any alteration of those laws. But, at the same time, I may fairly say, that it appears to me probable that, without departing from the principle on which the corn laws are founded, some modification of that principle may be attended with advantage. It has certainly been felt by many persons who are well acquainted with the subject, that the present system is defective in this respect, namely,

that until corn reaches a certain price, say as to wheat—eighty shillings a quarter,—it gives a complete monopoly to the British grower; and that then, it suddenly permits the importation of foreign corn, wholly free from any check or restraint; so that instead of admitting a gradual supply proportionate to the public demand, the opening of the ports throws large masses of foreign corn at once into our markets, and produces all the evils which may be supposed to arise from an abrupt transition, from no importation to an unlimited supply. If any modification of the law can be effected, by which the importation may be regulated by a gradual scale of duties, so as to prevent these sudden and violent fluctuations, I freely confess that I see no objection to such a measure. At all events, it is highly proper that the present laws should undergo an examination, with a view to ascertain how far they are susceptible of improvement. But it would not be dealing fairly with the country to hold out an expectation that any alteration in them can be productive of any great and immediate relief.

My lords, having now gone through all those topics which I have felt it necessary to bring under your lordships consideration, I shall conclude, by moving for the papers which I am desirous to lay before your lordships. I have stated my opinion as to the nature and extent of the existing difficulties, and of the causes from which they have arisen. I have also stated the measures which his majesty's government propose for their mitigation. In the view which I have taken of certain branches of the subject, I am aware that I differ from some of your lordships. But there are two points on which we all agree. I readily admit—first, that our establishments ought to be reduced to as low a scale as may be compatible with our monarchical constitution and the safety of the country—and, secondly, that every reduction that can be made in the expenditure of the country consistently with the above objects, and with the security of public faith, should be attended with a corresponding reduction of taxation. But, my lords, I must place by the side of these admissions, the assertion of another principle, which I deem so indispensable, that upon it I am determined to stand or fall—*the steady maintenance of an efficient sinking fund.* The noble lord concluded by moving for certain papers similar to those moved for in the House of Commons by the marquis of Londonderry.

The Marquis of *Lansdown* began by expressing his satisfaction, that, the noble earl had himself brought forward the statement which he (lord Lansdown) would otherwise have felt it his duty to have called for, but which came better from a minister of the Crown than from himself or any of his friends. On the statement and reasonings of the noble earl, he should feel it necessary to make some comment; and he rose thus early in the debate, because he considered that he had in some manner provoked the discussion on which their lordships had entered. There was one point on which the noble earl was bound to explain his sentiments fully. The noble earl had alluded to the fashionable opinions of some individuals, and to the travels of others, in support of the doctrine, that taxation had little or nothing to do with the prevailing evils under which the country laboured. He knew very well that some political economists, and certain noble lords in that and the other House of parliament, considered the effects of taxation as being extremely light. They stood prepared to hold out this delusion to the public, not merely that taxation produced no unfavourable result, but that its existence was, in fact, one of the favourable circumstances of this country. As this was the case, he felt it to be his duty to state, that, without overlooking any of the arguments which were advanced on the other side—without losing sight of any of the inquiries which had been made by those who supported the doctrine he had alluded to—he had come to as deliberate a conviction as the noble earl had done, that, with the cause of the present distress, and the best mode of relieving it hereafter, the amount of taxation was inseparably connected. It required no great acquaintance with any author who had written on the subject, or with any man who had ever thought on political economy, to perceive that the effect of taxation was, to produce high prices, not to lower them. This was generally found in connexion with heavy taxation. Such a state of things arose from slighting those sound maxims of political economy, by which a nation ought to be governed, and the consequences of departing from which were constantly presenting themselves at every man's door. Many favourable circumstances he believed to exist in the country, which, if properly attended to, would produce unequivocal benefit. He heard, with pleasure, that our manufactures were again in a

flourishing state; and the great object to be pursued was, to adopt such measures as would have a tendency to increase and secure consumption. Measures of that description, which would effect a radical cure of the evil, were worth all the temporary expedients which the noble earl could propose. He feared, however, that the noble earl felt insuperable objections to the adoption of such a course as he would recommend.

The view he was prepared to take of the question was, that the amount of taxation in this country formed the great obstacle to its recovery from the state of distress in which it was plunged. The noble earl admitted, that distress existed to a considerable extent; but, while he allowed this, he stated also that portions of the community were partial gainers. The noble lord had argued, and he believed he was in some degree correct, that, more or less, the present evil affected other parts of the world. But in his opinion the distress did not affect foreign countries in so severe a degrée as it pressed upon this. If he were to offer any opinion of his own, he would say, that in France, for instance, notwithstanding the address of the chamber of deputies—an address carried by the opposition in that country against the wish of the ministers, on the first day of the session, and therefore relied on as unquestionable authority by the noble earl—notwithstanding what was there stated, he would appeal to every person who had recently visited France, to declare whether that country—although there might be an occasional depression in the price of agricultural produce—ever exhibited a greater degree of prosperity? Sure he was, that if any man proposed in France the measure which the noble earl had stated in that House—that of throwing a great part of the land out of cultivation for the purpose of raising the price of agricultural produce—he would not be attended to with patience. That was one of the most extraordinary doctrines, and must lead to the most extraordinary results, that could possibly be contemplated. Yet the noble earl had repeated to their lordships, that a diminished production was the only efficient measure that could be resorted to—that without it, there was no remedy—without it, there was no hope. With respect to the advantages possessed by this country over others to which the noble earl had alluded, he would say little. It was impossible, in that House, without documents, to institute an accurate inquiry into the state of the different parts of Europe. But he would call the attention of the House to that part of the noble earl's speech, in which he more particularly referred to a passage extracted from the evidence given before the agricultural committee, where the witness stated, "that local causes were in existence, which gave rise to considerable distress abroad." The individual stated the countries through which he had travelled, and it would be well to consider what those existing and mischievously operating local causes were. One of the parts he had visited was the north of Europe. Now, if it had been customary for this country formerly to import the corn of Poland and other northen states, and if the necessity for such an importation no longer existed, it was not difficult to see, that, to a certain extent, the demand for the grain cultivated in those countries must be diminished. The same remark would apply to Flanders and the north of France, to which the noble earl had adverted; and, beside the diminution of demand occasioned by the non-exportation to England, it should be recollected, that there were now no longer any armies of occupation on foot, which circumstance must still farther lower the demand for the produce of the farmer. These circumstances, however, were not at all applicable to the state of England.

He would say nothing farther relative to the distress which afflicted other countries, or to the remedies that might be applied to it; but he would proceed to consider what remedy could be applied to the distress which it was admitted existed in our own. And here he experienced considerable satisfaction in reflecting, that though he and the noble earl were somewhat at variance, with reference to the effect of taxation, yet, with respect to one very important point, the practical application for relief, they did not differ at all; for, at the same moment that the noble earl argued that taxation was not the cause of the present distress, he admitted fully, that it was most desirable to remove the weight of taxation as speedily as possible. Now, it undoubtedly could not be supposed, that taxation to the amount of fifty millions could have no effect, one way or the other, on the situation of the country; and if it were felt that such a mass of taxes did not operate as a benefit to the empire, it must be al-

lowed that it had an evil tendency, by interfering with all the monied transactions of the community. The noble earl had alluded to some circumstances as proving the apparent wealth and resources of the country. He asked, whether, when travelling from one part of England to another, large tracts of land were not seen under the plough, where previously no mark of cultivation could be seen? This brought him to one great point, most intimately connected with the state of the country. Was it not, he demanded, the application of an extraordinary stimulus in the course of the last war, which rendered those previously barren places productive? And was it not the alteration of that system which now placed the cultivator in such a situation that he could not procure remuneration for his produce? He agreed with the noble earl in the fact that a great quantity of poor land had been brought into cultivation, but he dissented from the deduction which the noble earl drew from that fact; namely, that where there appeared to be a superabundant production, a dearth should be effected by artificial means. The evil was not, in his opinion, to be remedied by taking lands out of cultivation, but by raising the consumption so as to make the produce and the demand meet each other. The noble earl had dwelt with much force on the increased wealth and resources of the country: but if that increase were indeed so great as had been represented, why was distress so prevalent? With respect to Ireland, there appeared to be an enormous increase of population, even greater than in England. But, while there was this increase of population there, as well as an increase of produce, why had not the powers of consumption been also increased? Because the inability to consume was continued by severe taxation. The people of that country were not wealthy; and the consuming population had not increased in proportion to the general population. If it were otherwise, they would themselves make use of a great part of that corn which was now exported to the British market. That exportation tended to increase the dearth, which was the principal evil under which Ireland laboured, and to which might be traced her present disturbed and lamentable situation.

Feeling, then, the most decided conviction that in considering the distress of the country they must necessarily be led to the amount of taxation, and having, to a certain degree, the countenance of the noble earl, who admitted that it was necessary, though on other grounds, to diminish that taxation as far as possible, he now came to the consideration of the mode in which that object could be obtained. There were four different ways, more or less pointed to in the speech of the noble earl. First, by a diminution of taxes; and one mode of effecting that diminution was by the legitimate reduction of the interest of the national debt. He said the "legitimate reduction" of that interest? because he had in view the proceeding which the noble earl had most properly patronized. The second mode (and he stated it only for the purpose of expressing his entire disapproval of such plan) was, by diminishing the interest of the national debt, contrary to existing laws and contracts. The third was, a proper application of the principle of reform and retrenchment in the various departments of government, which the noble earl stated to have been carried to a very considerable extent; and the fourth was, the application of that which was called the sinking fund, with respect to which much diversity of opinion existed. As to the first operation—that of reducing the interest of the national debt in the mode adopted by Mr. Pelham, and of which the noble earl approved—he felt much gratification that the circumstances of the country were such as rendered it feasible, whatever hardship it might inflict upon some individuals. Certainly such an alteration could not be effected without producing some degree of hardship; but, on the other hand, it must be considered, that those who invested money in this stock, did so with the knowledge that they were liable to all those hardships and contingencies that might be connected with its original formation. There was, however, one part of the plan of which he did not approve. He thought it would be more creditable for a great country, and more consistent with the dignity of the Exchequer, if on this occasion individuals had not been required to record their dissent. This part of their plan was opposed to that of Mr. Pelham. Under his bill, all those who assented stated their assent; but the present measure demanded a dissent; and if circumstances prevented an individual from expressing it in due time, the law would compel him to act as if he

had assented. He therefore thought the option should not have been offered in this way. His objection went merely to this part of the measure, and was not at all of a general nature.—The second mode next came to be considered. Now, with regard to any hope of relief which might be received from a reduction of the interest due to the public creditor, except as authorized by existing contracts and laws, he was as ready as the noble earl to enter his protest against any such remedy being entertained in that House. A country might possibly be placed in such a situation as to be deprived of all means of paying its debt. He was, however, very far from entertaining such a gloomy view of the situation of this country at present; and while they were not in such a melancholy state, they were bound by every principle of honour, of policy, of morality, and of every thing connected with honour and morality, to see that justice was done to the public creditor. That House and the other House of parliament were alike bound to oppose such a suggestion as that to which he had adverted, from whatsoever quarter it might come. If he were so unfortunate as to hear that a proposition of that nature was contemplated, he would be found in his place, and he hoped the noble earl also would be at his post, ready to oppose with all his might and power, a principle so entirely subversive of public credit and prosperity. [Hear, hear.]

Then the third mode of relief which offered itself was that reduction in the expenditure of the country, which the noble earl informed them had already been carried to a very considerable extent. It would be impossible for him, or for any of their lordships, to argue how far retrenchment might justly be carried, without having before them the necessary details and estimates. At the same time, he might be allowed to say, without any imputation of want of charity or candour towards the noble earl opposite, and other noble lords, that they did not appear very anxious to carry the principle of retrenchment into effect. How often had they stated in that House, that his majesty's government had gone to the very utmost stretch of retrenchment! Had they not called on individuals to point out in what manner farther retrenchment could be safely effected? And now, having made retrenchments which a year or two ago they treated as impossible, he thought he had a right to suppose that still greater retrenchments might be effected by the vigilance, and resolution of parliament. He still looked forward to retrenchment in the various departments of the state, as affording an opportunity for a considerable diminution of the public expenditure; subject, however, to the observations of the noble earl, that such diminution would contract one species of consumption. It would do so, however, by substituting another and a more wholesome, vigorous, and beneficial consumption.

This brought him to the fourth, or last topic, on which the noble earl had dwelt at very considerable length, conceiving it to be of greater importance than those of which he had already disposed. Before he entered on the subject of the sinking fund, it was right that he and the noble earl should perfectly understand each other in regard to the question he was about to introduce. In many of the discussions which had taken place, formerly and recently, in that and the other House of parliament, on this subject, there was a looseness of statement, an ambiguity of expression, which appeared to be very useful to ministers. Therefore, prior to his going any farther, the question he wished to ask was this:—"Have we a sinking fund, or have we not?" When he said, that on this point, a very ambiguous mode of statement was adopted, he did not speak lightly. In support of his assertion, he could refer to documents produced by ministers in that and the other House of parliament. When it appeared convenient for ministers to boast of a large sinking fund, then the country was told that it consisted of the sum of 17,000,000*l.*—which, by a singular fiction, was held out, for the last twenty years, as working wonders, when it really was not working at all. But, when ministers found it necessary to state that the income of the country exceeded its expenditure, then this large sum was resorted to in proof of the assertion, but without any mention being made of its applicability to the redemption of the national debt; and they were told, that the country possessed a clear surplus revenue. Now he wished this point to be cleared up; and he would ask, "Have we an income below the expenditure, and a large sum tied up by various acts of parliament, and applicable to the liquidation of the debt, or have we a large surplus above the expenditure

that we may appropriate as we choose for the benefit of the country?" This was a question which had already been answered in effect, by the conduct of his majesty's government. If ever there was a government that had set aside all the principles laid down by Mr. Pitt for the formation of a great sinking fund in this country, from time to time, in war and in peace, in adversity and in prosperity, it was the present government. He spoke of that which was on record. Let them go back to the bill of 1813. Was that no departure from the principles of Mr. Pitt? On this point he could quote the authority of a gentleman whose opinions had great weight with government. He alluded to the authority of Mr. Huskisson, whose sentiments on this subject were recorded better than the debates in parliament generally were. They all knew, that when the chancellor of the exchequer proposed to take a large sum from the sinking fund, for the purpose of avoiding additional taxation, Mr. Huskisson declared "that Mr. Pitt's sinking fund was broken in upon." He invoked the name of Mr. Pitt, and he called on every friend to that statesman's principles, to defend the sinking fund from the rapacity of the chancellor of the exchequer. The plan then proposed was, however, carried into effect; and the habit which had prevailed of taking the sinking fund, again and again, confirmed the opinion of those who thought that the measure of 1813 annihilated the principle on which that fund was established. The late proceedings supported the measure of 1813, and in one respect went beyond them; for they operated against the limitations laid down in the act of 1813 itself. What did the noble earl and the chancellor of the exchequer do, when the fund was last made use of? They determined to go back to the act of 1802, and adopt the principle then held by Mr. Pitt—that of appropriating a sum of one per cent. on every loan, by which it would be liquidated in 45 years. This was considered to be a sort of quibble. But, whether it was or not, did government now adhere to the principle of redeeming each loan in 45 years? The noble earl knew that this principle had been done away; and that the sinking fund could no more get rid of the debt in 45 years, than it could answer for the whole expenditure of the country in the next session of parliament. In the view of ministers, it was deemed right, on principles of expediency and policy, to give up the surplus of the sinking fund for the benefit of the fundholder, as well (he would admit) as for the interest of the community at large; because, with the latter interest, that of the fundholder was inseparably connected. He trusted the fundholder would consider it his best interest to meet those of the community in general; and that he would feel, that the best security, both for his principal and interest, was to be found in the growing prosperity of the state.

This, therefore, brought him to the consideration of the present sinking fund. If considered merely with respect to figures, the principle of the sinking fund seemed to rest on the most logical principles; but its defects had been pointed out by Dr. Hamilton, although that individual did not give due weight to the effect which the sending into circulation, at stated periods, large masses of money, must have on the credit of a country, particularly in the article of negotiating loans. It was true, the principle on which the sinking fund had been originally formed, had been long done away; but still, for reasons which he could not understand, for reasons which, from year to year, became more preposterous, although the principle was thrown aside, all the machinery, and all the inconvenience connected with that machinery, were suffered to remain. Could they imagine any thing less calculated to impose on the understanding of any man, much less on the acute understanding of the stockholder, than the practice now pursued? Could any person suppose, because the chancellor of the exchequer every year took a sum of money from one pocket and placed it in another, that therefore a great benefit resulted to the money market? Visionary sums could produce no effect on the market; and of the sinking fund a very small portion was appropriated to the liquidation of the national debt: the rest was expended in the public service. They might be told, that it was convenient, in peace or in war, to have the command of such a sum; but while they were using it in this way, they should take care not to call it a sinking fund. Nothing could be more absurd. It reminded him of Lord Peter in the "Tale of a Tub," who, while he was inviting his brothers to eat bread, declared that they should not have any, unless they swore that they believed it to be

mutton. With respect to the alleged effect of the sinking fund in depressing the rate of interest, he was of opinion that it produced no such effect. He should have no objection if the sinking fund were extended to 4,000,000*l.* or 5,000,000*l.*, provided he was satisfied that those 5,000,000*l.* were indispensably necessary to keep down the rate of interest, and to keep up the public stocks. But what did he learn from experience? The noble lord and the country knew well, that for some time past there was no such thing in reality, but merely the name of a sinking fund. Let them examine the statement laid on the table by the noble earl, relative to the expenditure and interest, for the year 1819; and they would find that far from there being any indispensable necessity for a sinking fund of 5,000,000*l.* in order to depress the rate of interest, there was in fact only 1,500,000*l.* Had the smallness of the sum any effect on the national funds? He believed it would be found, that not only did the price of stocks remain stationary, but, what was of more importance, that the rate of interest in the general money market was not affected in the slightest degree in consequence of the insignificance of the sinking fund. The fact was, that wherever the rate of profit was low, there the interest of money would also be low, without any adventitious aid. If any thing existed which would induce those who possessed money to lend it on mortgage for less than five per cent, the house might be assured that it was not to be sought for in the operation of any sinking fund. No; when the rate of profit was low, it forced money on the land. The sinking fund had no effect on mortgages; but reduced profits had a very great effect on them. Let the noble earl apply these facts to the conclusion which he had just come to, when he pointed out the danger of withdrawing a fund which had already been withdrawn to so great an extent, and he would perceive that his conclusion was not accurate. When the sinking fund was 17,000,000*l.*, and a part of it was made use of for the public service, they heard very little of a breach of the public faith; there were but few appeals to the name of Mr. Pitt; no person exerted himself to save it from the hands of the chancellor of the exchequer; but the moment they came to the mysterious number five—so soon as it was reduced from 17,000,000*l.* to 5,000,000*l.*, then it was considered sacrilegious to touch it! Having then gone with the noble earl, in regard to the sinking fund, from 17,000,000*l.* down to 8,000,000*l.* and even to 4,000,000*l.*, the House was now to be told, because the surplus had reached 5,000,000*l.*, that there would be an end of public faith if the sinking fund were invaded: that the whole edifice of the state would be ruined and subverted if any attempt were made to apply the 5,000,000*l.* in any other way than in that which was dictated by the noble earl. The noble earl next asked whether any man in the country would contend that the remission of 4,000,000*l.* or 5,000,000*l.* of taxes could produce any great relief to the country? But, had not the man thus appealed to, a right to turn round upon the noble earl, and ask what great effect such a sinking fund could produce upon the national debt? The average duration of peace might be calculated at six years; and, would the application of four or five millions, annually, occasion such an extraordinary diminution of the public debt as to enable the government, at the end of the six years, to meet a war with firmness and confidence? He could not help thinking that the noble earl had been advisedly obscure upon the point whether the 5,000,000*l.* applied to the sinking fund would be attended with a corresponding relief to the country from taxes. [The Earl of Liverpool said something across the table not audible at the bar.] He understood the noble earl to say, that that matter would be open to the decision of parliament; but unquestionably, if any thing were meant, it must be understood that the country must look prospectively to some relief. He wished, however, to take it most favourably, that relief would be given to the whole extent of the 5,000,000*l.*, and then, at the opening of a war in six years, the country would be in this situation—The debt would be 800,000,000*l.*, the sinking fund would have reduced it to the extent of 40,000,000*l.*, and the country would thus have been redeemed from taxes to the extent of 1,200,000*l.* Thus including the abandonment of the malt tax, after six years of peace, and the annual application of 5,000,000*l.* to the sinking fund, in 1828 the country would actually find itself burthened with more taxes than it had paid in 1818. He, therefore, called upon the house, if there was any thing in the arguments he had used in favour of relief

from taxation, if he had, in any respect, succeeded in showing that all possible impulse should be given to the consumption of articles now taxed, not to delay that relief for six years, when at the end of that period, out of 50,000,000*l.* of taxes, only 1,200,000*l.* would be removed. With the utmost diffidence, and in opposition to the opinion of the noble earl, he felt himself bound to say, that in his view the removal at the present moment of taxes to the amount of 4 or 5,000,000*l.* would be attended with much more extensive advantages to the distressed, than any thing that could be gained by an insignificant diminution of the public debt. In the latter case, the operation was simple and direct; but in the former, the operation was both direct and indirect: it was two-fold; and it was impossible to ascertain, with any precision, to what degree the removal now of 5,000,000*l.* of taxes might increase the consumption of the country. When the noble earl called upon his opponents to state to what they looked for the redemption of the public debt he (the marquis) was ready to admit, that he thought the country in a condition of depression and suffering, that justified an experiment relying upon the natural resources of the empire. He entertained the opinion (and though he might be mistaken, he held it as confidently as he could hold any opinion) that if an impulse were now given to consumption, by removing taxes to the extent of 4 or 5,000,000*l.* upon articles of necessity, at the end of a few years there would be a very large surplus revenue—perhaps much larger than that now contemplated in the project of ministers. Individuals would thus be placed in a situation of greater affluence and ease, and the increased and increasing surplus might be then safely applied to the diminution of the public debt. He might be wrong—the noble earl might be wrong; but he thought that parliament would be justified in trying the experiment boldly.

With regard to what had fallen from the noble earl, on the subject of the loan from the Bank of England, he could hardly suppose the noble earl and his colleagues serious, when they contended that it would give any direct assistance. Least of all could he think them serious, when they suggested the loan as a means of parochial relief. It could only lead to needless extravagance in parishes for a time, which must, in the end, be followed by an augmentation of the original evils. If by any means the circulation of the country could be safely increased, it might be attended with beneficial consequences. The greatest care must, however, be taken, not to raise that circulation above its natural level. If it were so raised, the result of issuing the 4 or 5,000,000*l.* could only be, that gold to that extent would be forced out of the country; and when, by unavoidable fluctuations, it returned, the greatest dangers might result from the violence of the operation. After the fullest reflection, he entertained, in concurrence with the noble earl, all his original notions on the subject of the change effected in currency. Not that he did not feel the extent to which it had interfered with private contracts—not that he did not feel the unequal pressure of the alteration on different classes; but, looking back to the state in which we were, previous to its adoption, he saw no other mode by which the nation could have been extricated. It could not escape from its situation without the trial of some calamitous experiment; and the more it was delayed the more imminent was the danger. Having resorted to this measure, and having completed it, parliament, he considered, was bound to adhere to it, and to persevere in the principle of a metallic standard. Whether that standard should be gold or silver, was one of the subordinate questions into which it was not necessary now to enter. Upon that subject, as well as upon the duty of parliament to the public creditor, he entertained the most distinct opinion. He was equally clear that some other remedy ought to be found for the distresses of the country, and especially of agriculture, than withdrawing lands from cultivation, and throwing hands out of employment.—He had now, not without considerable anxiety, discharged his duty, by the distinct statement of his feelings and impressions at the present crisis; and he had only to repeat, in conclusion, that it would be more advantageous generally to the country, more effectual in its relief to the suffering classes, and equally safe to the public creditor, if all the relief contemplated in the course of the next six years were at once afforded, by which a new impulse would be given to capital and industry. Events, of course, might occur, that no man could foresee; but at least the project he suggested gave a fair chance of important benefit.

Lord *King* commenced, by ridiculing the manner in which the vast promises of ministers had been fulfilled. He also adverted to the notion so industriously promulgated on the other side, that to remove taxes was to hasten ruin. He said, that in the year 1811, the House of Commons had thought fit to put upon record the opinions of a very grave personage (no less a man than the chancellor of the exchequer) on the subject of the currency; for a resolution had been entered on the journals, stating, "that in public estimation, Bank notes are equal in value to gold." In the same way he should suggest, that it would be wise in the House of Lords to register the opinion of the first lord of the Treasury on the subject now under consideration, and it might be done in something like the following terms:—"Resolved, that in public estimation, the amount of taxation has not in any degree contributed to the existing distresses—that taxation is no evil—that though France and Holland have also an excess of produce, their excess has occasioned much happiness, and our excess much misery—that the only fit mode of relieving that misery is by the reduction of the rate of interest, and that the application of a surplus of 5,000,000*l.* to the sinking fund will most effectually accomplish that object." The leading article in the ministerial creed was, "I believe that taxation is not the cause of distress;" and the noble earl had taken infinite pains, by reference to Holland and America, and by the lucky windfall of the address of the French chamber of deputies, to prove that other countries were suffering like this from an excess of production. Some of the kingdoms of Asia were also severely distressed, and might have been brought forward had they suited the purposes of the noble earl: but their distress was occasioned by the too large draughts made by the government upon the industry of the people. Such was precisely the condition of Great Britain. If he understood the argument, it was this:—"Taxation is not the cause of distress, because it does not produce cheap prices, and the cheapness of produce is the occasion of the existing sufferings." The noble earl, however, seemed to forget that taxation increased the cost of raising the produce, and that cost, and nothing else, was the real cause of the distress. The noble earl argued, that the newly-enclosed lands should not be cultivated; but how happened it that even the old lands could not now be cultivated? They gave no profit, and that which for a century had been a source of growing emolument, now paid no rent at all. The noble earl boasted of the reductions of taxation already made; but if they had not been made, it would have been impossible for the country to have gone on. When the noble earl said that the taxes had been reduced to a greater degree than the country suffered by an alteration of the currency, did he mean to deny that the indirect taxes of the Excise had been amazingly augmented, within the last twenty years? Did not these affect the cost of raising the produce of the soil? Leather, soap, candles, tea, and malt, were all necessaries, and the taxes upon these had all their prejudicial operation. Ministers rested upon three principles: first, that excessive taxation was not the cause of distress; next, that relief was to be expected only from reducing the rate of interest; and thirdly, that the application of the 5,000,000*l.* to the sinking fund would reduce the rate of interest all over the kingdom. Such were the doctrines preached by ministers, for the last six years—with occasional varieties and transient absurdities, to be sure; but still they had generally stuck to their text. One of their agreeable varieties was, that a superabundant population was the cause of the distress; but this soon yielded to a superabundance of produce, and that to a superabundance of gold. For six years, however, the three principles he had mentioned had been more or less preached as gospel, and in some instances they had been swallowed with as much implicit faith as ministers could desire. Ministerial pamphlets and newspapers, ministerial scribblers and runners, had long maintained, that taxation was no evil, and caused no distress; and it was a position well suited for the knaves who profited by it, and for the fools who were ruined by it. Even parliamentary majorities had been found pliant enough to admit it; but after all, came the real difficulty, and it was this—that government had extracted too much from the industrious and productive to give it to the idle and unproductive. So large a portion of the gross produce of the land was taken from those who raised it, that a sufficient remuneration for them was not left behind. Perhaps, the noble earl might contend, that there was too much capital; and he could, undoubtedly,

find it very easy to drive the capital out of the country. Such were the glorious absurdities of this new school of political economy! It might not be difficult to reduce the country even to a worse condition than at present; but even if the produce were diminished, and the capital expelled, hereafter they might both be restored, and then the evils now complained of would be renewed. The great objection to taxation was, that it was a bar to all future improvement: it prevented capital from returning a fair profit, and industry from obtaining its reward. To be sure, the doctrine of to-day was one of exceeding comfort; nothing need be done but to take away a great part of the produce, and all would be right: that was the scheme, the remedy, the unfailing resource of the minister of finance, who might well pride himself upon taking away what was not of the slightest utility. This was one of the delusions attempted to be practised upon public credulity.—The noble earl had next told the House—that it must look to the effect of natural causes, and to Providence. But, who were they that gave this advice? The very men, who for twenty years, had been counteracting the effects of natural causes, and resisting the beneficent operations of Providence. Their excessive taxation had reduced this country to the condition of one with a bad climate and a wretched soil; and yet they had the face to come to parliament and say, "look to nature and Providence for a remedy!" From Providence a remedy might come, but assuredly it would never come from ministers. The noble earl expressed great satisfaction at the large surplus of 5,000,000*l.* for the sinking fund; but he could not give a stronger argument than this surplus, in favour of diminishing taxation. The noble earl could not hear of reductions in the establishments beyond half a million; but elsewhere, as appeared by the newspapers, it had been clearly made out, that if the establishments were brought down to the scale of 1792, not less than 5,500,000*l.* might be saved. Thus, with the 5,000,000*l.* now proposed to be added to the sinking fund, a substantial relief might be given, in the shape of not less than 10,000,000*l.* of taxes annually. Having spent nine-tenths of his life in imposing taxes, the noble earl now stood up in his place to preach a sinking fund and economy to accomplish it. A first lord of the Treasury, was by nature of his office a spendthrift, and he was out of his element when he spoke of economy. After imposing heavy taxes, he proposed to make the burthen a little more oppressive, as he contended, for the sake of lightening the load: he only required time, patience, and money, and he would make every body rich, contented, and happy. He (lord K.) felt by no means sure, that the real purpose of devoting five millions to the sinking fund, was to reduce the debt. What security was there, that it might not be applied to subsidize foreign powers, and to enable the ministry to use high sounding language to them as to our national wealth and prosperity? Such language would be much more becoming after some part of the weight of taxation had been removed. He would only trouble the House with one point more, and that related to the 4,000,000*l.* to be given to parishes. At first, the noble earl seemed to feel no possible objection to this project; but, after a little consideration, it turned out that there was one slight obstacle to it—namely, that it was impracticable. The conclusion was, that as it could not be advanced to parishes, it ought to be lent for the purpose of jobbing in the funds. The present was most undoubtedly a period of more than ordinary distress, confined not merely to the property of agriculturists, but extending to their personal and mental feelings. So extreme was that distress—so urgent did the necessity appear for terminating it—that he thought even strong or violent measures were justifiable in the attempt to attain that object.

Lord *Ellenborough* could not attribute the existing distress to an excess of cultivation, as that had rather diminished than increased within the last few years. In his opinion, it was the great excess of produce last year, combined with the effect of the change in the currency, which had created the fall in price, to which the distress was owing. He agreed with the noble marquis, that the great taxation under which the country laboured, contributed to the distress of the farmer as a grower; but he could not agree with him that the diminution of taxes to the amount of 5,000,000*l.* would afford him any sensible relief. If it were given as a direct bounty upon wheat, it could only raise the price about 5*s.* per quarter. Besides, if the taxes were removed, the benefit of that removal would

not be felt for a considerable time; owing to combinations to the disadvantage of the consumer. He was inclined to think that parliament ought to direct its attention either to lessening the supply, or increasing the demand, in order to prevent the existing glut in the market. In smaller states a measure had sometimes been advantageously adopted by the government for this purpose: it was, to buy up grain when the price was low, and to sell it again when the price was improved. This effect was generally produced by corn-merchants who speculated in grain; but if the evidence before the agricultural committee were correct, the capital of those merchants was now locked up in the foreign corn warehouses. He did not mean to recommend such a course by government under ordinary circumstances, but the present was a period of peculiar difficulty and distress: the capital of the farmer was gradually reduced, and the independence of the agricultural interest greatly invaded and injured. An occasional sally of ill humour, on account of the conduct of parliament, had frequently before been exhibited by those persons who had been labouring under distress; but that transient feeling of dissatisfaction was now changed to one of a permanent and settled character. Under these circumstances, he thought it necessary that some extraordinary measure, not perhaps justified by the ordinary principles of political economy, should be adopted, in order to remove the present distress, and with it the feeling of hostility which it engendered. He was disposed to agree with the noble earl opposite, that more benefit would ultimately arise from the maintenance of a sinking fund than from the reduction of taxation; yet he thought the attention of the government ought not to be exclusively confined to measures of prospective and remote relief, but that the energies of their understandings should be directed to the task of devising some plan for effecting immediate relief.

The Duke of *Buckingham* disclaimed any intention of entering into those depths of political economy, into which his predecessors in the debate had wandered. He must, however, declare his dissent from those who attributed to the operation of taxation the distressed state of the agricultural interests. That they were in a state of distress, it did not need any one at that time of day to tell them. But, was this the first time that particular interests of the country had been in a suffering condition, arising out of the circumstances of the times? Did their lordships not all recollect, that the same pressure which now bore upon the agricultural interest had, a few years ago, weighed upon the commercial and manufacturing interests. Could they forget that upon that occasion the distress which prevailed was attributed to the same causes to which the present embarrassment was assigned, and that the only remedy then, as at present, was proposed to be found in a reduction of taxation, and a reform of parliament? Thank God! the effect of that remedy had not been tried; and yet, what was now the situation of the commercial interest of this country? He was happy to say it was prosperous almost beyond example. He made this declaration upon information which he had recently received from some of the principal manufacturing districts. Whenever distress had prevailed at any former period, it had always excited the same clamour, been referred for its origin to the same causes, and been proposed to be removed by the same remedies. Those remedies, however, had not been applied, but the distress had removed itself. If he were called upon to state the causes of the distress which at present pressed upon agriculture, he should say that one of the causes, in addition to those laid down by the noble earl at the head of the government was, the large quantity of poor land which God had never intended should produce wheat, that had been brought into cultivation, in consequence of the high prices which agricultural produce obtained during the war, but which, being necessarily cultivated at greater expense than land of a better quality, did not now return an adequate remuneration to its occupiers. Another source of the present distressed state of agriculture, and which he regretted the noble earl had not touched upon, was the poor-laws. It was impossible that the country could ever be relieved from the burthens which hung around its neck, until some measure should be resorted to, which would have the effect of restoring the poor to the situation in which they formerly stood; namely, that of earning their own bread, instead of living on the country as annuitants; and he trusted that an hon. and learned gentleman (Mr. Scarlett) whom he had not the honour to know, but who

had last session introduced a measure on this subject in another place, would continue to direct his attention to the attainment of this highly desirable object.—He now came to the means by which it was proposed to remove the difficulties attending the present situation of the country. The noble marquis near him had proposed a reduction of taxation as a means of relief. If, however, the argument of the noble marquis, that taxation was the cause of distress, were well founded, it would apply not alone to the agricultural interest, but to the commercial interest also. The weight of taxation pressed equally on all classes. How, then, could taxation grind the farmer into dust—to adopt an expression which had been recently used—and permit the merchant and tradesman to raise their heads? His noble kinsman had stated, that the taxes on salt, tallow, soap, and some other necessary articles of consumption, pressed heavily upon the farmer, and prevented him from deriving any remuneration from the produce of his land. He denied that proposition. If it were true, that the weight of the tax affected the consumption, that which paid the highest tax would be least used, and *vice versâ*. But it would be found, that the contrary was the case, and that, as in the instance of salt and wrought iron, that which paid the highest tax was the least used. The price of consumption had not yet reached the price of production; and until that was the case, no material relief could be felt by the agriculturist. But with regard to the existing agricultural distress, he had no hesitation in saying that taxation had no material effect upon it. To illustrate this, he would suppose the case of a farm of 400 acres, at two guineas an acre, as to the amount of produce. He supposed 200 acres to be laid out as grass land, 134 acres as beans, spring corn, fallows, &c., and the remaining 66 acres wheat land. These 66 acres would produce 198 quarters, which, valued at 3*l.* a quarter, would amount to 594*l.* With a farm thus productive, supposing the farmer's family to consist of himself, wife, one woman servant, and three men servants, they would consume fifteen quarters of malt, the tax on which amounted to 12*l.* 15*s.* Making a fair calculation of the quantity of articles of every other description which such a family would consume, it would be found that the total amount of taxes paid to the Crown was 33*l.* 2*s.* Of the amount of indirect taxes, which depended on the price of labour, it was not so easy to get at, but the best way would be to take all the taxes which might be considered to fall on land, and throw them back to the farmer. By these calculations* it would appear, that the farmer upon the esta-

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* The following are the calculations referred to by the Duke of Buckingham:

No. 1.—Estimate of Taxation paid by a Farmer renting 400 Acres—Himself, his Wife, one Woman Servant, and three Men Servants in Family.

Articles.	Quantity consumed.	Total Cost. £. s. d.	Rate of Duty.	Total Tax. £. s. d.
			New Rate.	
Malt	15 Quarters	30 0 0	2*s.* 1¼*d.* per bushel.	12 15 0
Hops	60 lb	3 0 0	2*d.* per lb.	0 10 0
Salt	5 cwt.	8 10 0	30*s.* per cwt.	7 10 0
Leather for Shoes	12 lb	2 4 0	3*d.* per lb.	0 3 0
Do. for harness	30 lb	......	3*d.* per lb.	0 7 6
Tea	10 lb 7*s.*	3 10 0	100 per cent.	1 15 0
Sugar	52 lb 6*d.*	1 6 0	100 per cent.	0 13 0
Soap	72 lb 8*d.*	2 8 0	3¼*d.* per lb.	0 19 6
Candles	72 lb 7½*d.*	2 5 0	1*d.* per lb.	0 6 0
Brandy	1 Gallon	1 5 0	12*s.* 7½*d.* per gallon.	0 12 7½
Rum	1 ditto	1 0 0	10*s.* 4½*d.* per do.	0 10 4½
Gin	4 ditto	2 4 0	1*s.* 4½*d.* per do.	0 10 6
Wearing apparel	......	......	......	1 0 0
Riding Horse	1	......	......	2 17 6
Groom	1	......	......	0 10 0
Windows	9	......	......	2 2 0
			Farmer's Taxes	33 2 0

blishment, and with the labourers therein mentioned, paid annually to government, direct and indirect, taxes to the amount of 39*l.* 6*s.* 6¾*d.*—That (without fractions) the whole of the farmer's taxes bear the proportion of 1*s.* 4*d.* in the pound on the value of his wheat; or 4*s.* in each quarter of wheat. In other words, that the value of the quarter of wheat, instead of being 3*l.*, would be 3*l.* 4*s.*, supposing every tax repealed, to which the farmer and his labourers paid either directly or indirectly to the Crown; and, consequently, that the farmer could only be by possibility the gainer of 4*s.* per quarter on his wheat, supposing the faith of the country was broken to the public creditor, and the country thereby placed in the situation of national bankruptcy; the taxes affecting his farm being about one-fifteenth part of the wheat produced, or 9*l.* 16*s.* 6*d.* per cent on the rent of his farm, at 20*s.* per acre. Was it for such an object that public credit was to be annihilated? Was that such a necessity as to induce a measure of so much injustice as the abandonment of the good faith of the country towards the public creditor? Could such a charge "run the farmer down," as his noble kinsman supposed? The remedy for the evil which the farmer endured, in his opinion, was for the proprietors of land to follow the example of the manufacturer in his conduct towards his labourers under similar circumstances, and to prevent the farmer from sinking, by making the prices of consumption come down to the prices of produce. Nothing could be done for the farmer unless the landlords met the difficulties of the times, and imitated the example of the manufacturers, when the working manufacturers were similarly distressed. At all events, he hoped that parliament would not adopt any measures inconsistent with the permanent interests of the country; that they would not, after

No. 2.—Estimate of Taxation on the Labourers required to cultivate a Farm of 400 Acres, half Grass, half Arable.

Number of Labourers.	Articles.	Quantity consumed.	Total Cost.			Rate of Duty.	Total T		
			£.	s.	d.		£.	s.	
3 in the house.	Leather ..	24lb 6 pair shoes..	3	12	0	3*d.* per lb.	0	6	
1 married, with wife and child.	Leather ..	10lb 4 pair	1	18	0	3*d.* per lb.	0	2	6
	Candles ..	20lb....7½*d.*	0	12	6	1*d.* per lb.	0	1	8
	Salt	52lb....3¾*d.*	0	16	3	3¼*d.* per lb.	0	14	1
	Soap......	13lb....8*d.*	0	8	8	3¼*d.* per lb.	0	3	6½
	Tea	5½lb....7*s.*......	1	18	6	100 per cent.	0	19	3
	Sugar	13lb....6*d.*	0	6	6	100 per cent.	0	3	3
	Ale	1¾ pint per day home-brewed ..	....			½*d.* per pint.	1	2	9¾
2 Labo ..	Leather ..	16lb 4 pair shoes..	2	8	0	3*d.* per lb.	0	4	0
Single ..	Salt	26lb at 3¾*d.*	0	8	1½	3¼*d.* per lb.	0	7	0½
	Soap......	13lb at 8*d.*	0	8	8	3¼*d.* per lb.	0	3	6¼
	Ale	365 quarts	....			1*d.* per quart.	1	10	5
2 Boys ..	Leather ..	12lb 4 pair	1	10	0	3*d.* per lb.	0	3	0
	Soap......	6½lb at 8*d.*	0	4	4	3¼*d.* per lb.	0	1	9
	Salt	6½lb at 3¾*d*......	0	2	0	3¼*d.* per lb.	0	1	9
						Total Tax on Labourers	6	4	7
						Add the amount of No. 1	33	2	0
						Total Taxes paid by the Farmer	39	6	7

No. 3.—Estimated Produce of Wheat grown on a Farm of 400 Acres, half Grass, half Arable.

Grass	200 Acres.
Beans, Spring Corn, Fallows, &c..	134 do.
Wheat	66 do.
	400 Acres.

Produce of 66 Acres at 3 Quarters per Acre, 198 Quarters.
Value of ditto . . . . at 3*l.* per Quarter, 594*l.*

having pursued a steady course for so long a time, now stop short, and consent to sacrifice solid benefits for the attainment of temporary security. If they did, it might then be indeed said, that they had sold their birth-right for a mess of pottage.

Lord *Dacre* thought that the opinions entertained by the noble duke were calculated to produce greater delusion than any of the doctrines which he had reprobated, and to excite a larger measure of discontent than that which at present pervaded the country. The noble duke, like other noble lords who had spoken that night, had stated his opinion, that the distress which at present pressed upon the agricultural interest depended on temporary causes, and that the farmer might expect an increased price for his produce. He could not conceive what had led noble lords to that conclusion. It was ascertained that there was a glut of corn on the continent, and it must be admitted that it was occasioned by the non-importation of agricultural produce into this country. The noble earl opposite had alluded to the increase of the population of the country, and had stated that the increase amounted to 4,000,000 since 1801. He (Lord D.) was of opinion that the increased produce of corn was more than adequate to the increased consumption. It was necessary to consider what caused the present low price of corn. He could see no reason why the price of agricultural produce should be higher now than it was in 1791. Setting aside the variations occasioned by the greater or less quantity of the circulating medium, and increased or decreased supply, corn must always obtain the same average price. The natural price of corn must depend on the existing quantity of the circulating medium by which commodities were represented. He was not aware that there was any material difference between the quantity of the circulating medium afloat now, and that which was afloat in 1791. He found it stated on an authority which the noble earl would not feel inclined to dispute that the circulating medium in 1791 consisted of 30,000,000*l.* of Bank paper and 8,000,000 of guineas. The number of sovereigns at present in circulation amounted to about seven or eight millions. The amount of Bank paper now in circulation he had not been able to ascertain, but he could not conclude it was greater than in 1791. To deal fairly, however, he ought to state that he was also unable to calculate the power of the circulating medium at the present moment, because its power depended not only on its numerical quantity, but also on the velocity of its operation. But, assuming the velocity of the circulating medium to be indefinitely great, their lordships would perceive that it must produce an infinite effect upon the reduction of prices; and, therefore, he saw no reason to conclude that the present low price of corn was the effect of superabundant supply. For his own part, he was satisfied that the agricultural produce of the country was no more than sufficient to meet the increased consumption. The country would be deceived if it were to believe that high prices were to be expected, and that the present low prices were to be attributed to over-production. In support of that proposition, he might be allowed to show that two articles which had not increased in quantity had nevertheless decreased in price in proportion to the fall in the value of corn. The articles to which he alluded were copse wood for firing, and skins. Those articles, without being increased in quantity, had declined in price in exactly the same proportion as corn. The cause to which he attributed this effect, was the diminution of the quantity of the circulating medium. Parliament having rejected the propositions of his late friend, Mr. Horner, and agreed to a resolution, declaring that a pound note and a guinea were of equal value, though the public debt went on increasing rapidly, and upon the return to cash payments, the country found itself loaded with increased taxation to the amount of 30,000,000*l.* as compared with the year 1791. He did not intend upon the present occasion to offer any farther observations upon the effect which had been produced by the recent change in the amount of the currency. He wished, however, not to be understood in any thing he had said, to have implied a wish again to make any alteration in the amount of the circulating medium. At the same time, he was willing to use every exertion to relieve the agriculturists from the burthens by which they were exclusively borne down and oppressed. He could not, as the noble duke had done, consider the agricultural interest as standing in precisely the same situation as the manufacturing interest, and, therefore, he would not advise the advance

of a loan to the former, which had in many cases been made with great advantage to the latter. The manufacturers could always, if there were any demand at all for their produce, force up its price by suspending their manufactures. They could lay by their machinery, until they could obtain a price corresponding to their expectation. Not so the agriculturist. If the price of his produce did not satisfy him, he could not suspend the operation of his machinery, which was man. He was bound by 'laws—by the poor-laws, which peculiarly pressed upon him, to maintain the population of the country, no matter to what extent it might be thrown upon him for support. He could not tell the poor that he could not afford to relieve them, because the produce of the soil would not sell at a sufficiently high price. From these circumstances, he (Lord D.) concluded, that the advance of a loan which had often afforded great advantages to the manufacturer, would not be attended with any benefit to the agriculturist.—In the view which he took of the subject, he did not think that the late abundant harvest had had any share in producing the reduction which had taken place in the price of corn. Although the late harvest had been great in quantity it was bad in quality; and it might, therefore, be taken as no more than an average year. But if the last harvest had been as good in quality as it had been abundant in quantity, the price of wheat would not now have been more than 4*s.* a bushel. He thought it was deceiving the agriculturist to hold out to him the expectation of returning high prices. The farmer must look for relief through a reduction of the expenditure. He was not one of those who contended that taxation was the cause of low prices, but he concurred in what his noble friend near him (lord King) had stated the other day; namely—that taxation compelled the farmer to bring his produce prematurely to market. The corn thus forced into the market would not, however, have the effect of lowering the price of the article, because it would fall into the hands of rich speculators, who would, by retaining large quantities of grain in their possession, have it in their power to raise its general price. Taxes prevented the agriculturist from producing, at a low cost, that which he was compelled to sell at a low price. It was impossible for the farmer to continue to pay at a dear rate for labour, and to sell cheap corn. To afford him relief, parliament must either raise the price of his produce, which it was out of its power to do, or diminish the cost of its production, which was fully within the scope of its capability. He would not follow the noble duke in the calculations which he had submitted to the House; but he could assure that noble duke, that he had documents in his possession by which he could plainly show, that the malt, soap, and one or two other taxes that pressed most heavily on the agriculturist, amounted to at least 3*s.* 6*d.* per acre on arable land. The amount of the taxes proper to be reduced, in order to meet the distresses of the agriculturist, would not, in amount, exceed the present savings, and the surplus fund, which had been so much expatiated upon by the noble earl opposite. Indirect taxation—he meant that system of taxation which operated on the price of leather, salt, and other necessaries of life—was felt most particularly on the pauper portion of the people. Indirect taxation was that which required alleviation most pressingly. It was that burthen which, as a matter of necessity, the people must be speedily relieved from, as far as that relief could possibly be granted. But respecting this matter, it was unnecessary that he should trespass on the time of the House; because his noble friend (the marquis of Lansdown) had opened it to their lordships, in a speech which he was sure would not easily be erased from the minds of those who had heard him. As other opportunities would speedily occur of discussing the topics connected with the present question, he would not any longer occupy the time of their lordships. He had felt anxious to say thus much, lest it should by any accident be supposed that their lordships held out to the agriculturists any delusive hope, that increased prices would in themselves prove a sufficient remedy for existing distresses. He was perfectly convinced, that the only remedy which could be applied to the multiplied evils under which the agricultural interest was labouring, and the only remedy which their lordships would conscientiously concur in holding forth as really effectual, was reduced taxation, and consequently alleviation of the charge of production.

The Duke of *Buckingham* said, that his calculations were not meant to apply to the general question of taxation, as it

had been put in issue, but only to the question of its effect on agricultural produce under particular circumstances.

The Earl of *Harrowby* contended, that the existing distress was mainly owing to excessive production. In the years 1818 and 1819, no less than 2,500,000 quarters of corn were brought into the market. The harvests of the years 1819, 1820 and 1821, were beyond all proportion more productive than those of several years preceding. If their lordships added to these facts the increased importation of corn during the same period from Ireland, they would find that there was abundant reason for the present distress. But, beyond all this, another powerful cause was to be traced to the diminution which had taken place in the circulating medium of the country, owing to our return to cash payments. Enough, he trusted, had been said, and particularly by a noble duke to whom the House was so much indebted for the clear and able demonstrations which he had afforded of his propositions —enough had been said to remove that fatal delusion which had been with so much industry, propagated through the country; namely, that taxes were the cause of low prices. The contrary was the fact; although no man in his senses would attempt, on the other hand, to deny that, to a certain extent, taxation must be an aggravation of any public distress of a nature like that which was now complained of. But it was only to a certain extent, as the noble duke and other noble lords had shown; and it was by no means a sufficient cause to be adduced, in explanation of the general principles of that distress. In answer to an observation which had fallen from a noble lord, relative to the amount of country bank notes in circulation at different periods, he would state, in round numbers what that amount was in different years. In 1815 the circulation of country paper was 15,000,000*l.*; in 1816 it was 15,500,000*l.*; in 1817 it was 16,000,000*l.*; in 1819 it was 16,500,000*l.*; in 1820 it had fallen to 11,000,000*l.*, and in 1821 it was no more than 7,000,000*l.* Their lordships would also take into consideration, that latterly there had been a very considerable reduction in the amount of the paper of the Bank of England. With respect to the distresses at present prevailing among the growers of corn, he did think that they had arisen, in a great measure, out of their own improvident speculations, and out of their omission to make proper provision, in the time of their prosperity and abundance, for that day of reckoning and of distress which, in any exercise of human prudence or foresight, they must have anticipated. As to the sinking fund, and the application to it of the 5,000,000*l.* of surplus revenue, he entirely approved of the measures which had been taken. Whatever inroads had been made upon the sinking-fund, he must contend, that, if it were broken down and done away with altogether, public credit would receive a greater blow, and the national faith be more impugned, than by any other measure that had ever been adopted.

Lord *Redesdale* said, he had taken the opinion of several intelligent agricultural men of his acquaintance, and the result of their information, added to that laid before parliament, seemed to be decisive of the truth of the position, that every farmer who was now afloat, on borrowed capital, or who had raised money on mortgage, even one half of his capital on the land or otherwise, must, without extraordinary assistance, be inevitably ruined. He agreed with the noble earl, that the distress of the agricultural classes arose from temporary causes, which, in the course of a short time, must cease, and then the agriculturist would find himself restored to his former level in society. He was old enough to recollect what farming was fifty years ago; and the principle which was then applied to farming was, that the produce was divided by thirds; a third went to the landlord for rent, a third to the farmer, and a third to pay the expense of cultivation. For the last twenty years, this system had been completely changed, and the produce was now, by skilful surveyors, divided into fifths, of which three-fifths went towards cultivation, and the remaining two-fifths were divided between the landlord and the farmer. He thought the situation of the farmer at present like that of the gentleman, who, being taken alarmingly ill, sent to collect various physicians to a consultation upon the nature of his disease and its remedy. During the consultation, one advised one thing, another another, and the dissention thus generated amongst themselves, became at length so boisterous, that the patient desired his servant to turn them all out of doors, and leave him to himself. The story ran, that he soon after per-

fectly recovered: and such, he verily believed, would be the case with the farmer, if he exerted his own judgment, and rejected the counsels of those who were more ignorant of his condition than he was himself.

The motion was then agreed to.

HOUSE OF COMMONS,
Wednesday, Feb. 27.

HAWKERS, PEDLARS, AND HACKNEY COACHES.] Mr. *Hume* believed, that no opposition would be made to the production of the papers for which he was about to move. Although the manner of granting hackney-coach and hawkers and pedlar's licenses might in itself be considered a matter of small importance, yet he was anxious to bring the subject before the House, because it would appear that government had exhibited a great neglect of economy in the collection of that part of the revenue. In 1797, the finance committee had recommended in its report, that the two offices for licensing hackney-coaches, and hawkers and pedlars, should be abolished; and that the duties of those offices should be thenceforth performed by the commissioners of stamps. Government did not, however, as the committee advised, transfer the duties of the office for licensing hackney-coaches, and that for licensing hawkers and pedlars, to the Stamp-office; but adopted the plan of uniting the two offices; in consequence of which, the country had been saddled with an additional expense. The number of inspectors had been augmented from 10 to 29, each of whom received a salary of 100*l.* a-year. No less than five commissioners were maintained, under the present system, at salaries of 300*l.* or 400*l.* a year. These commissioners, he was informed, attended in the office only one day in the week; and it frequently happened that four or five weeks elapsed, without the commissioners making their appearance at all. This would not appear very extraordinary, when the House was informed, that most of the commissioners held other offices, and consequently had other duties to perform. One of the commissioners was colonel Thornton, who could not be expected to devote much time to the subject of pedlars' licenses. Another commissioner was Mr. Willimott, the private secretary of the earl of Liverpool, who no doubt gave him sufficient employment. A third commissioner was Mr. Jesse, who also held an important situation in the Board of Works. In this way the public money was expended on persons who could not perform the duties which they were paid to execute. The whole revenue derived from these duties last year amounted to 55,734*l.* which was collected at an expense of 9,342*l.* or 16 per cent. The revenue resulting from the duty on stage-coaches amounted last year to 256,590*l.*, which was collected at an expense of 6,792*l.*, or about 2½ per cent. The inspectors for the country, who were 30 in number, were not posted in the most populous districts, where their services would be most required; and many of them either did not perform their duty at all, or executed it by deputy. One of the inspectors, who was stated to be resident in Coventry, in reality lived at Birmingham. Another of these officers was insane, and had actually been in that state at the time of his appointment. It was important that the persons whose duty it was to grant licenses should reside in the most populous parts of the country; but quite a contrary system was pursued. At Sheffield there was no person from whom a license could be obtained; whilst at Leek, an obscure village in Staffordshire, there were two. The hon. member then mentioned several other instances in which the principal towns in different counties were destitute of the convenience of a resident licenser, whilst it was enjoyed by comparatively small places. All this improper arrangement would be remedied if the power of granting licenses were vested in the commissioners of stamps. He knew that in 1797, when it had been proposed to abolish the office for licensing the hackney-coaches, it was objected, that it was an office not only of revenue, but of police, in which latter character it could not be dispensed with. He was of opinion, that the objection could not now apply. The very fact of the commissioners meeting but once a week would preclude the public from deriving any benefit from the office as a police tribunal. The hon. member concluded with moving for an account of the establishment of the hackney-coach and the pedlars' and hawkers' licensing office, stating the numbers and names of the persons employed, by whom appointed, and the security they had given for their offices; and also the names of the other offices (if any) which they might hold.

Mr. *Lushington* said, he had no objec-

tion to the production of the returns moved for; but, when the hon. member was bringing forward his charges, he ought in fairness to have stated that the revenue derived from the granting of licenses last year was greater than at any former period. That circumstance was to be attributed to the improved manner in which the establishment was conducted. He could not agree to any measure which proposed to abolish the offices of commissioners of hackney coaches, whose services were most beneficial to the public. The commissioners had to control about 3,000 persons, who were not of the most manageable description—he meant hackney-coachmen; and their government of that body was much more efficient than any that could be exercised by persons whose attention was not exclusively devoted to that object. The subject had been repeatedly under the consideration of parliament, who had uniformly determined not to derange the present system.

After a short conversation, the motion was agreed to.

ILCHESTER GAOL—MR. HUNT.] Sir *R. Wilson* Presented a petition from 1,500 inhabitants of Greenock in behalf of Mr. Hunt. The petitioners considered the punishment which had been inflicted upon that gentleman as levelled at the man and not at the offence; and when they found that this sentence had been aggravated by the regulations of the magistrates of the county gaol in which he was confined, they could not forbear expressing to the House their opinion on the subject. Sir Charles Bampfylde, the late sheriff of Somersetshire, had considered the regulations in question as so harsh, with respect to Mr. Hunt, that he had suspended them: but on his going out of office they were renewed. It might be a very proper question to ask, why those regulations had been renewed, and why Mr. Hunt had been exposed to unnecessary severity? why he should be condemned to pass two years and a half of his life in a pestilential gaol, and supplied with water tainted with the most loathsome impurity? This severity was exercised too, after he had exposed the atrocities committed in that gaol, and had afforded government an opportunity of correcting them. He really thought that if ministers had either generosity or justice, they would grant Mr. Hunt an unconditional release; or, at least remove him to a prison in which his sufferings would be somewhat mitigated.

Mr. *Warre* said, he understood that Mr. Hunt had been placed on a level with the felons of the jail. No person was allowed to see him but in the common room; and Mr. Hunt had refused to go there. The only persons allowed admission to him, except in this room, were an attorney, a surgeon, and a physician. A distinction ought to be drawn between criminals and those who were confined for political offences. The gaol of Ilchester, he believed, stood upon the bank of a river; and there was a small aperture in the wall of Mr. Hunt's cell, a little elevated above the surface of the water. It was here that his son, by taking a boat on the river, was enabled to communicate with his father through the aperture; and thus only could he obtain that communication. He (Mr. W.) wished that this were otherwise; for it was always a misfortune to a government, if a person confined for a political offence should come from his prison hailed by the people as a martyr.

Mr. *Dickinson* said, he had already stated that, when he saw the rules in question, he thought they pressed too severely upon Mr. Hunt, and had mentioned the circumstance to Mr. Justice Best, who, however, returned the rules without any alteration. He feared, that as they were now signed by the judges, they became a part of the law of the prison, and could not be altered.

Mr. *Hume* said, that, in his conscience, he believed the conduct of the Somersetshire magistrates to have been unequalled. The other evening an hon. baronet had taken upon himself to say, that according to the information he had received, Mr. Hunt was not in solitary confinement. He now held in his hand an affidavit of a surgeon and of Mr. Hunt's son that no one was allowed to see him. A letter had been sent by the sheriff of the county to Mr. Hunt, stating that he believed the court had not intended to inflict solitary imprisonment upon him; and regretting that as the rules of the prison had been signed by the judges, he had not the power to relieve him. It had been said that the magistrates were not to blame. He wished any one who said this, would read the report of the commissioners appointed to examine the state of this gaol. The commissioners stated the dungeon in which Mr. Hunt was confined to be dark, damp, and unventilated, and that the water which he was compelled to drink

was filtered through the common sewers of the prison. In every page of that report there were instances of the grossest neglect and oppression: hand-bolts of ten pounds weight were put round the wrists of prisoners; and it was declared by an individual, who had by way of experiment placed them on his own wrists for a minute, that they produced the most acute pain even within that time. Notwithstanding all he had heard, he was convinced the magistrates could not free themselves from blame. It was impossible that the matter could rest here. No man was more alive to the advantages which this country possessed in the services of an unpaid magistracy; but surely it would not be maintained, that, because so much benefit was derived from their exertions, we were to overlook any evil which might arise from their negligence. He did not know whether any criminal proceedings were to be instituted against any of the parties, but his own opinion was, that strong grounds existed for such a step on the present occasion. With respect to the charge of an hon. member, that he (Mr. Hume) had declined his assistance in this affair, he could assure him, that he felt no disinclination to receive assistance or information connected with his duties in that House, from him or any respectable quarter. The hon. member then mentioned a case where he had had an offer of assistance on the subject of Irish tithes, from an individual of the name of Mills, who, after having given him some documents on the subject, made a charge of *25l.* for his trouble. This he had refused to pay, alleging that he had made no engagement of the kind; and that he would give nothing, unless the person demanding it could prove himself entitled to it—for it was a rule with him not to receive information from any person who gave that information for payment. If he did pay money for receiving information he should be taunted on every occasion, even more than he was at present; but he would not give *25l.* nor one shilling for any information of the kind.

Sir *T. Lethbridge* did not, even now, believe that Mr. Hunt was in solitary confinement. He understood it to be that sort of confinement which rendered it impossible for a prisoner to hold any communication with any person whatever. If that was the meaning of the phrase, the situation of Mr. Hunt was very different from solitary confinement. The petition complained that Mr. Hunt was ill treated; if that were the case, the magistrates were not in fault. It was not their fault that he was confined in a gaol which had bad regulations. He regretted some things which were stated in the report. Some of the circumstances were of a nature that must excite the indignation of those who heard them. They were, he trusted, such as would never occur again in this country. In bringing such transactions to light, no doubt great good would be accomplished. He was satisfied to let the blame rest where it ought; but he could not admit that it rested with the magistrates.

Mr. *M. A. Taylor* said, that from the view which he took of the case, he did not think the magistrates free from blame. If they had done their duty they would not have waited for any commission to detect and remedy such abuses. They should have attended, as was their duty, to the comforts and convenience of the prisoners, and have seen that they were properly supplied with provisions, and were not exposed to injury from cold and damp air. He had visited several gaols, and far from acquitting the visiting magistrates of this gaol, he concurred in every word that was said by the hon. member for Aberdeen. Seeing a right hon. secretary (Peel) in his place, he trusted that such steps would be taken on this subject as would let the magistrates know that the eye of the government was upon them; and that they could not with impunity be guilty of such negligence.

Mr. *Bennet* said, the hon. baronet appeared to think that nothing was solitary confinement but four walls and the receiving of food through a wicket. That, however, was but a degree of solitary confinement: and if a man were told he must submit to insult, or remain within his cell, it was not too much to call that also a degree of solitary confinement. He ventured to say that, except at Ilchester, there was no prison in which a man confined for a political offence was compelled to associate with felons, or submit to solitary confinement. This, however, had been accomplished at Ilchester by the regulations of these magistrates, confirmed by the order of Mr. Justice Best. He wished for the production of these regulations, in order that it might be seen whether he was borne out in his opinion that they were the most arbitrary and

cruel that could be devised. The fact was, that no written rule of the prison had been acted upon until the other day. It was the duty of the House to address the Crown to remove these magistrates from office. They had neglected their duty, and he strongly suspected they had done so criminally. There was a case referred to by the report, in which it appeared that a poor woman, with her infant in her arms, had been confined, in a season of severe frost and snow, within a cell in which, for two days, she was allowed no fire. Her food was nothing but bread, and cold water from a bucket: her milk failed her, and the health of the infant at her breast suffered in consequence. All comment upon these facts was unnecessary. They must strike every feeling man with horror; yet this he contended had been caused by the negligence of the magistrates. It was them that he blamed, and not their miserable tool the gaoler, or his underling; and if he had the power to dismiss them, they should never discharge another magisterial office as long as they lived.

Mr. *Dickinson* said, that the visiting magistrates had discharged both the surgeon and gaoler before the commission entered on the inquiry; and stated that all the recommendations of the commissioners, save that of building a new gaol, would be attended to.

Mr. *Lennard* said, the magistrates had done nothing until the abuses in question had been brought under the notice of parliament. He fully agreed that great suspicion attached to their conduct. He could not vouch for the fact; but it had been published and not contradicted, that one of the magistrates, on occasion of the late inquiry, had been heard to say, "We must defend our gaoler." Yet this gaoler was a wretch discharged from the hulks, a defrauder of the miserable objects placed within his power, and altogether as infamous in character as he was brutal in conduct.

Ordered to lie on the table.

CIVIL OFFICES PENSION BILL.] Mr. *Creevey* rose and said:*—Mr. Speaker; I rise in pursuance of the notice I have given, for the purpose of bringing before the consideration of the House and the public an act of parliament, which passed in the year 1817, and which is entitled, "An Act to enable his Majesty to recompense the services of persons holding, or who have held, certain high and efficient civil offices." This act, I apprehend, Mr. Speaker, is little understood by this House, and still less by the country; and yet it is an act as injurious to the interests as it is insulting to the feelings of the people. Let me add, too, that it is utterly subversive of both the principles and the practice of the monarchy. Although I was a member of this House, when the act in question was passed, I was not then in England, otherwise my vote would undoubtedly have been given with those who opposed the bill. As, however, it is understood this act has been lately brought into operation for the first time, the present appears a very fit occasion for a revision of it; the general circumstances too of the times give a great additional importance to the subject.

The title of the act, as I have observed, is "An Act to enable his Majesty to recompense the services of persons holding, or who have held, certain high and efficient civil offices." But there never was a title more destitute of all foundation in truth. His majesty, Mr. Speaker, has no more to do with this act than you, Sir, or myself; except, indeed, as being the instrument of his own servants. The act may be truly said to be, an act to incorporate the dealers and traders in politics, in this country, into a company or corporation, under the firm or title of high and efficient public men, or high and efficient public pensioners; and with the same precise and methodical division of the profits of the concern, that always takes place in any other trading body. The sum of 42,000*l.* per annum, charged in perpetuity upon the consolidated fund, is the joint stock of the company created by this act; and which, by the provisions of the charter, is divided according to classes in the following manner:—The first class, consisting of the first lord of the Treasury, the three secretaries of state, the chancellor of the Exchequer, and the first lord of the Admiralty, are to be each entitled to 3,000*l.* per annum, for life, provided the time of their respective services in office shall have amounted to two years altogether; whether at one and the same time, or by patch-work, by the piece or the job; and then, as if this term of two years' service was too severe a condition to be imposed upon the first

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and most distinguished class, another pension of 3,000*l*. per annum is given to them without any limitation at all; and though the period of service may not have exceeded two days, or even two minutes. These, then, are the provisions for the first class, seven pensions of 3,000*l*. per annum each for six persons. The second class comprises the chief secretary for Ireland and the secretary at war, and provides three pensions of 2,000*l*. per annum each for such persons as shall have held these two offices for five years. The third class consists of the joint secretaries of the Treasury and first secretary of the Admiralty; and for such persons as have held these offices for five years, six pensions of 1,500*l*. per annum each are provided. The fourth class includes the under secretaries of state, the clerk of the Ordnance, and the second secretary of the Admiralty; and after ten years' service in these offices, six pensions of 1,000*l*. each are given to such persons as have held them. These are the provisions of this memorable act.

I need scarcely observe to you, Mr. Speaker, that, from the earliest period of our history to the year 1817, the kings and queens of England have been allowed the privilege of discovering for themselves the meritorious services of their servants or subjects, and in the same way they have been uniformly recognised as the established fountains of all honours and rewards; if, indeed, the services of a subject have been so distinguished, that the means of the Crown were inadequate to render him a corresponding recompense, then it has been the practice of the sovereign to apply to this House for its co-operation; and here, again, the House has been allowed likewise to have an opinion of its own, before it gave away the money of its constituents. But these antiquated notions, Mr. Speaker, are all utterly exploded by this bill, both the king and the parliament are now saved all farther trouble upon this subject; merit in public men is settled for the first time, and once for all by act of parliament, and a monopoly of the article is vested by this bill in that corporation of high and efficient public men who are the objects of it. His majesty, as I observed before, has nothing in truth to do with this bill; he cannot alter or vary any of the provisions of the company's charter, nor can he travel out of it. He cannot, for instance, grant pensions of 3,000*l*., or 2,000*l*., or 1,500*l*. per annum, to any other subjects in his dominions than those who are specified in the bill.

By the civil list act of 1782, c. 82, his majesty is precluded from granting to any other subject than a member of the royal family a pension exceeding the sum of 1,200*l*. per annum; and by the same act, the sum total which the royal bounty can dispense in pensions amongst the whole of the nation, is limited to 90,000*l*. per annum. By the bill in question, the secretaries to the Treasury even are provided with pensions exceeding in amount what the Crown has the power to bestow; and this compact corporation of high and efficient public men have divided amongst themselves a sum of 42,000*l*. per annum, being nearly half of what the sovereign is permitted by law to grant amongst the whole of his subjects. The king's sign manual, I admit, is necessary to give a perfect title to these pensions, but this is all; and as the high and efficient pensioners are themselves the confidential advisers of the Crown, there will be little difficulty on this subject. I confess, Mr. Speaker, under all these circumstances, I think it would have been a more manly course in this corporation, a proceeding too, less insulting and degrading to the sovereign, to have set up a seal of their own, rather than have given his majesty the trouble of applying his sign manual; or if his majesty's name must be introduced by them into this bill, then I think its title ought to have been, "An act to enable his Majesty to act as Secretary to his own Servants." Having stated the substance, Mr. Speaker, of this extraordinary bill, I proceed, Sir, to trace its origin and history. Upon examining the Journals of this House, for the year 1817, I find this bill was ordered to be brought in by Mr. Davis Gilbert, Mr. Bankes, and the viscount Castlereagh; and I further find, that those two gentlemen, and the noble lord, were members of a select committee, which was appointed in that session, for the specific purpose of examining the public revenue and expenditure of the kingdom, and more particularly for examining what reduction could be effected in the latter, without detriment to the public service; and, lastly, I perceive, that the bill in question was recommended in the very first report from that finance committee. To a superficial observer, Mr. Speaker, it certainly does not appear the most obvious mode of diminishing the public expenditure to create a perpetual charge upon the people of 42,000*l*. per annum, to be divided in pen-

sions; nor does it appear a very decent proceeding, that amongst those, who recommended or created those pensions, are to be found the very persons who are eventually to enjoy them. But this House, Mr. Speaker, is a privileged place; things may be done here, which would never be thought of in any other assembly in England. As, however, this corporation of high and efficient public men has frankly and boldly asserted, in the preamble to their charter, their undoubted right to these pensions, and has stated at the same time the grounds upon which such rights are founded, let us examine their title upon their own showing. The preamble to their act runs thus: "Whereas the abolition and regulation of various offices will deprive the Crown of part of the means by which his majesty has been hitherto enabled to recompense the services of persons holding high and efficient civil offices, it is expedient and necessary, and consistent with sound policy and proper economy, that other means should be afforded his majesty, of recompensing, &c., &c."

It is here necessary for me to state, Mr. Speaker, that seven or eight bills, having for their object the abolition and regulation of different offices, were brought into this House at the same time, and by the same persons who introduced the Pension bill; and as these bills constitute the foundation and justification of the Pension bill, I must beg the House to accompany me in going through them one by one. I must request, too, in a particular manner, the attention of the hon. member for Corfe Castle, who is considered, in truth, the author of all those bills, and that he will do me the favour to correct me, if I am guilty of any inaccuracy or mis-statement upon this occasion. It is at all times a practice as unjust as it is unwise, to overstate any question; but with so strong a one as I have at present to deal with, it would be quite unpardonable to do so.

The first act, then, that I begin with, Mr. Speaker, is the 57th Geo. 3rd, c. 60, the title of which is "An Act to regulate certain offices in the Court of Exchequer in England;" and it enacts, that from and after, and upon the termination respectively of the present existing interests in the undermentioned offices, *viz.* the king's remembrancer, clerk of the pleas, clerk of the pipe, controller of the pipe, marshall, foreign apposer, purveyor, and receiver general of green wax; lord treasurer's remembrancer, clerk of foreign estreats, clerk of the Nichills, controller of first fruits, and in the Alienation office three commissioners, the receiver-general, two entering clerks, master in Chancery, and the solicitor of the exchequer, the duties thereof, respectively, shall be discharged by the officers appointed to hold the same in person, and not by deputy. And the act further provides, that upon all future vacancies in such offices, the lord high treasurer, or the commissioners of his majesty's Treasury, are to regulate the duties as well as the emoluments of such offices, and to appoint proper persons to fill the same; the fees now payable to such officers being to be applied in payment of future salaries; and if any balance of such fees shall remain, after payment of such salaries, the same is to make part of the consolidated fund. This, Mr. Speaker, is the first of those acts of reform, for which we have been called upon to pay in return 42,000*l.* per annum, in perpetuity, to be divided amongst our high and efficient public men. And what, let me ask, is the extraordinary favour done the public, in having the duties of these offices performed by the persons who enjoy the profits of them? Why should it not be so? Why, indeed, are we to wait till all the existing holders of these offices are dead, before so obvious a regulation is to be put in practice? And above all, let our high and efficient public men explain to us, where we are to discover "the necessity and expediency and sound policy, and proper economy" of giving them immediately and from hence forth 42,000*l.* in perpetuity, as the purchase of an act, which is merely a prospective act of regulation, which only transfers the patronage over a certain number of offices from the Crown to the Treasury; and which even records the doubt entertained by its own authors, whether in point of economy, any advantage at all is to be derived from it to the public.

The next act, Mr. Speaker, is the 57th Geo. 3rd, c. 61, the title of which is, "An Act to abolish the offices of the wardens, chief justices, and justices in Eyre, north and south of Trent," and its preamble runs thus: "Whereas the office of warden, chief justice, and justice in Eyre, of his majesty's forests, chases, parks, and warrens north of Trent, and the office of warden, chief justice, and justice in Eyre,

of his majesty's forests, chases, parks, and warrens south of Trent, are offices of considerable emolument; and by reason of disforesting of many of the great forests, and enclosing of others of such forests, and the regulations which have from time to time been made relative to the land revenues of the Crown, the efficient duties of the said offices have in a great measure ceased, and it is therefore expedient, that such offices should, upon the termination of the present existing interests therein be abolished," and the same offices, subject to such conditions, are abolished accordingly. Now I apprehend, Mr. Speaker, upon the case thus stated by the preamble to this act itself, the only doubt which reasonable men can entertain is, whether the public ought to forego the advantage of this projected reform during the lives of Mr. Villars and Mr. Grenville, the present holders of these sinecures, or whether these offices ought not to be abolished forthwith. Our high and efficient public men, it seems, have very different views upon such subjects; they are always for the public postponing their claims to those of the sinecure men; their attention to the latter is as uniform as it is unbounded; in each of these reform bills we shall see, Sir, that they always approach the sinecure men with a kind of apology, and an assurance at starting, that nothing is father from their intention than to make the slightest encroachment upon their property. When, however, the same high and efficient public men come with their own claims for pensions, waiting, or postponement of claims, is the last thing that occurs to them; in their view, the public have nothing to do but to support both the sinecure man and the pensioner, and both at the same time. Witness, Sir, the occasion I am now referring to. Two sinecures of 2,000*l.* each per annum are to be abolished upon the deaths of Mr. Villars and Mr. Grenville; and for the purpose of indemnifying our public men for this prospective contingent loss to the trade of politicians, a fund of 42,000*l.* per annum is created for them in perpetuity, at the expense of the public, and with immediate possession. Let me observe, Mr. Speaker, in this place, that the ground upon which there is so strong and universal a feeling in this country against the existence of all sinecure offices is, that, in truth, such sinecures are neither more nor less than so many pensions. What then are the people to think, when they are made to purchase and pay for these sinecures by corresponding pensions, greater in amount, and perpetual in duration? This, Mr. Speaker, is a perfectly new principle, it is the first time it has made its appearance in the Statute Book. I shall have occasion presently to show, it is in direct opposision to all former precedents on such subjects; and so be it always remembered in future, that we are indebted for this modern improvement to that committee of finance, which was appointed for the specific purpose of diminishing the public burthens, for the abolition of useless offices.

The third act of reform, Mr. Speaker, from this finance committee of 1817, is the 57 Geo. 3rd, c. 62; and the title of it is, "An Act to abolish certain offices, and to regulate certain other offices in Ireland." This act enacts, that, from and after the termination of the present existing interests therein, the offices of surveyor-general of the Crown lands, keeper of records in the Birmingham Tower at Dublin, keeper of the records of parliament, clerk of the paper office, accountant to the board of general officers, secretary to the said board, corrector and supervisor of his majesty's printing press, compiler of the Dublin Gazette, master of the revels, seneschal of his majesty's manors, accountant-general, supervisor of accounts in the barrack department, barrack-master of the royal barracks, shall be wholly abolished. And it is farther enacted by the same act, that the offices of clerk of the council, muster-master-general, pratique master of the port of Dublin, storekeeper of the customs in the said port, shall, after the termination of the existing interests therein, be executed in person, and not by deputy; and thus the patronage over these latter offices is transferred upon future vacancies from the Crown to the lord lieutenant of Ireland and the lords commissioners of the treasury, with the absolute discretion as to the amount of future salaries, &c., &c; and, by a farther clause in this act, the offices of commissioners of the board of works in Ireland are to be abolished, subject always to all existing interests in the persons now holding the same. In remarking upon this act, I wish very much that our high and efficient public men would point out to us such of these offices so to be abolished prospectively in Ireland, that they would have condescended to fill: what it is, in

short, that they have lost: because, Sir, if it be true, as I suspect it is, that they have taken to themselves 42,000*l.* per annum in perpetuity, as the compensation for that, which it is almost morally certain they could never have possessed; then I must be permitted to say, they have been raising money for themselves under false pretences; a practice, Mr. Speaker, which in societies less polished than this is known by the name of swindling, and which here, I presume, I may be permitted to call parliamentary swindling.

The next act, Mr. Speaker, from the finance committee, is the 57 Geo. 3rd, c. 63, and the title of it is, "An Act to regulate the Offices of the Clerks of the Signet and Privy Seal." The provision of this act is, that, subject to the existing interests in the persons holding the offices of the clerks of the signet and privy seal, the duties of the said offices shall be performed in person, and not by deputy; and then, as in the preceding acts of regulation, the patronage over these offices is merely transferred from the Crown to the Treasury. This act again, though one of mere prospective regulation only, is made one of those claims upon us by our public men, and for which, upon principles of "necessity, and expediency, and sound policy, and proper economy," we are to pay them 42,000*l.* per annum in pensions for evermore.

The next act is the 57 Geo. 3rd, c. 64, and the title of which is, "An Act to abolish certain offices, and regulate others in Scotland." The various provisions of this act are, that, subject to the existing interest in the person holding the office of keeper of the great seal for Scotland, his majesty shall not grant a greater salary to the person holding such office than 2000*l.* per annum; and in like manner, and so subject to such existing interest as aforesaid, his majesty shall not grant a greater salary to the person holding the office of keeper of the privy seal for Scotland than 1,200*l.* per annum; that, subject to existing interests of the persons holding the offices of keeper of the signet and lord register of Scotland, the duties of keeper of the signet shall be performed by the lord register; and that the salary of the latter shall be limited to 1,200*l.* per annum; that every cashier and receiver-general of excise in Scotland, thenceforth to be appointed, shall discharge the duties thereof in person, and not receive an higher salary than 1,000*l.* a year; that persons, to be thenceforth appointed to the offices of knight marshal or vice admiral of Scotland, shall receive no salaries for such offices; then it is farther enacted, that after the termination of the existing interests in the offices of auditor of the exchequer in Scotland, king's remembrancer in the exchequer, lord treasurer's remembrancer in the exchequer, presenter of signatures in the exchequer, keeper of the general register of seisins, clerk to the admission of notaries, director of chancery, clerk of the chancery, clerk of the court of admiralty, the duties of the same offices shall be discharged by the persons appointed to perform the same in person: and then follows the same clause as in the former acts, which transfers the patronage over these regulated offices from the Crown to the Treasury, and with the same discretion as to the amount of future salaries; and by the following clause in the same act it is enacted, that after the termination of existing interests in the following offices, *videlicet*, one of the clerks of the pipe in Scotland, clerk assistant to the general surveyors and inspectors of taxes, controller-general of the customs, receiver of bishops' rents, inspector of wheel carriages, Gazette writer, inspector-general of roads, all such offices shall be thenceforth abolished. Upon this last act, I can only repeat the observation I have before made respecting the act from the finance committee, which relates to Ireland. Will our high and efficient public men have the goodness to point out to us which of these last-mentioned offices in Scotland, so prospectively abolished as aforesaid, they would have condescended to fill; and will they inform us, why the other offices in Scotland may not be prospectively regulated as they are by this bill, without our paying 42,000*l.* per annum in perpetuity to our high and efficient public men, in return for the favour of such regulation?

The next act, Mr. Speaker, from the finance committee of 1817, is the 57 Geo. 3rd, c. 66. And I must beg the particular attention of the House to the title of this act, because it is in every respect worthy of the quarter from whence it comes. It is called, "An Act to amend an Act of the twenty-second Year of his present Majesty, for suppressing or regulating certain offices therein mentioned, so far as relates to the Office of

the Board of Trade." This act of the twenty-second of his late majesty, amongst various other offices, abolishes the board of trade altogether; and when, therefore, a committee appointed by this House for the specific purpose of reducing the public expenditure, by abolishing useless offices, brings a bill into parliament to amend that act, one might reasonably expect, that the economical provisions of that act were to be still farther extended; instead of which, it turns out to be a bill to repeal and not to amend that act; and a vice president of a board of trade is again created, with a salary of 2,000*l.* per annum. So much for this economical, reforming, retrenching committee of finance of 1817, and so much for those principles of "necessity, and expediency, and sound policy, and proper economy," upon which our high and efficient public men claim to be entitled to 42,000*l.* in perpetuity, in compensation for offices which are regulated or abolished by this committee.

The next act, Mr. Speaker, is the 57 Geo. 3rd, c. 67; and it is "An Act to regulate certain offices in, and abolish others in his majesty's mints in England and Scotland respectively." And it enacts, that the office of warden of his majesty's mint in England, upon the termination of the existing interest therein, shall be abolished; and that, after the termination of the existing interest in the office of controller of the mint in England, the duties thereof shall be performed by the person holding the same and not by deputy; that the office of governor of the mint in Scotland, after the termination of existing interests therein, shall be held by the master of the mint in England; and that the different offices in the mint in Scotland, upon the termination of existing interests therein, shall be abolished.

And, now, Mr. Speaker, I am, fortunately for you, Sir, and for the House, arrived at the last of these economical acts of the Economical Committee of Finance of 1817, I mean the 57 Geo. 3, c. 84. The title of this act is, "An Act to regulate the offices in his majesty's exchequer in England and Ireland respectively," and its preamble runs thus: "Whereas the offices of auditor and tellers of his majesty's exchequer in England and Ireland respectively, and of clerks of the pells in England and Ireland are offices with respect to which it is expedient that a more economical execution of the duties thereof respectively, after the termination of the present existing interests therein, should be adopted." And then the act makes a prospective transfer accordingly of their different patent places from the Crown to the Treasury, enacting, that the duties thereof shall be performed by the persons holding the same, and not by deputy; and leaving the provision, as to salaries, at the sole and absolute discretion of the Treasury. This last act, Mr. Speaker, as the House will see, is one of pure prospective regulation only: one should have thought, that the preamble to this act had stated a sufficiently obvious ground for its necessity; but this makes the last of those concessions from our public men, for which they demand an instant remuneration of 42,000*l.* per annum as pensions.

Having now gone through these different acts of reform, which emanated from the Finance Committee of 1817, it will be for the House and the country to decide, whether the different prospective reductions and regulations in public offices which they contain, have been of such singular national importance as to justify our public men in entrenching themselves by bill against all further encroachments upon their trade, in protecting themselves by act of parliament against all future losses, with a very decent indemnity for such as have already occurred. This pension bill, Mr. Speaker, ought to be regarded by the House and the country, as an eternal monument of the danger of permitting a minister of the Crown to delegate the duties of the executive government of the country to a committee of this House. Had we communicated directly with the Crown and its responsible ministers upon this subject, as I shall show you presently we were always accustomed to do, it is utterly impossible this degrading Pension bill could ever have found its way into this House. Is there a single person in this assembly, who is of opinion, that if the noble lord opposite had brought down a message from the Crown, stating his majesty's gracious wishes, that for the relief of his people this House would undertake the regulation or reduction of all useless establishments—is there any one, I say, who thinks the noble lord would have advised his majesty to have added to such message, a hint to this

House, that his servants might be no losers by this national economy: that some device might be hit upon for protecting them at least, from all consequences of such public improvement? It is utterly impossible, that the noble lord, or any other minister, could have entertained for a moment the thought of such an outrage; and yet, a select committee of this House, named by a minister of the Crown, has accomplished this very object with as much facility as any mere ordinary matter of course. Such, Sir, is the difference between living under the old-fashioned monarchy of this country with responsible ministers, and under this new executive government—a committee of this House, named by a minister of the Crown. Amidst the various obligations we owe to this new executive government, the committee of finance of 1817, we ought not to be unmindful of its merits in having repealed, in many cases, the statute of the 6th of queen Anne; one of the provisions of that act enacts, that any member of the House of Commons accepting an office of profit under the Crown shall vacate his seat, and return to his constituents to take their opinion of his conduct; the tellerships of the exchequer, and various other offices, regulated by the finance committee, were offices of this description; the pensions, therefore, which are designed as substitutes for such places, ought, had there been any consistency in the finance committee, to have been subject to the same conditions with the offices for which they were given, and to have vacated the seats of all members of this House who accept of them. Let me, by way of illustration, remind the House of a case within the recollection of most of us. Mr. Yorke, then member for Cambridgeshire, accepted the office of one of these tellerships of the exchequer, he vacated his seat, and was rejected by his constituents, never more to be returned by them. Mr. Yorke has some reason to regret, I must admit, Sir, that he did not receive his reward under the new dynasty of Corfe Castle, in preference to that of the House of Hanover, for had he done so, in money even he would have been a gainer; as, coming within the first class of pensions, he would have had 3,000*l.* per annum, instead of 2,700*l.*, the profits of the tellership; and above all he would have been relieved from the expense and mortification of his rejection by his constituents.

As proofs of the superior advantages we used to enjoy under the uniform practice of the monarchy, up to the usurpation of its functions by the finance committee in 1817, and as inducements to the House to return to such wholesome courses without delay, I shall now proceed, Sir, to give specimens of what used to be the practice, with both the Crown and this House, when overpaid or useless offices were to be regulated or abolished. I begin, Sir, with the act called the Civil List act of 1782, c. 82. And here it may be useful to refer to the message from the throne, which preceded that act, and which was delivered to the House by lord John Cavendish, then chancellor of the exchequer. This message, which was delivered the 2nd May, 1782, runs thus: "his majesty has found with concern, that notwithstanding the two several payments of the civil list debt, and the subsequent increase of the civil list revenue, a considerable debt is since incurred. His majesty therefore desires the advice of the House of Commons as to the mode of discharging that debt, and preventing the like in future, without laying any new burthen on his people, whom it is ever his wish as much as possible to relieve." On the 6th of May, in that year, a bill was ordered, nemine contradicente, to be brought in upon that message, and the persons who were to prepare and bring in the same were Mr. Burke, lord John Cavendish, Mr. Secretary Fox, the lord Althorpe, Mr. James Grenville, Mr. Frederick Montague, Mr. Attorney and Mr. Solicitor General: all official and responsible persons; and the following preamble to that bill, when brought into the House, was in every respect worthy of its constitutional origin. "Whereas his majesty, from his paternal regard to the welfare of his faithful people, from his desire to discharge the debt upon his civil list without any new burthen to the public, for preventing the growth of a like debt for the future, as well as for introducing a better order and economy in the civil list establishment, and for the better securing the liberty and independence of parliament, has been pleased to order, that the office, commonly called or known by the name of the third secretary of state, or secretary of state for the colonies, the office or establishment commonly called or known by the name or description of the board of trade and plantations, the offices of lords of police

in Scotland, the principal officers of the board of works, the principal officers of the great wardrobe, the principal officers of the jewel office, the treasurer of the chamber, the cofferer of the household, the offices of the six clerks of the board of green cloth, the office of paymaster of the pensions, the offices of master of the harriers and fox hounds, and also the office of master of the stag hounds, should be suppressed; be it therefore enacted, &c. &c." and the same offices were all so abolished accordingly. What a contrast, Mr. Speaker, is presented by the language of this act, coming as it does through the responsible ministers of the Crown, to the fawning preamble of the Pension bill from the finance committee, with all its tender consideration for our high and efficient public men. We have no pensions, Sir, created by this bill to reimburse our public men for the loss of different offices abolished on this occasion. On the contrary, it is enacted, by the seventeenth clause of this very bill, that, "for the better regulation of the granting of pensions, and the prevention of abuse and excess therein," the Crown shall not for the future grant a pension greater in amount to any subject than 1,200*l.* per annum, nor more than 90,000*l.* per annum in the whole. If, then, on the occasion I am now referring to, when the minister of the Crown and this House were all of opinion, that reduction of offices and reduction of pensions should go hand in hand, upon what possible pretext is it, that this finance committee has induced the House to adopt this new and hitherto unheard-of principle of paying our public men this enormous sum of 42,000*l.* per annum, for losses supposed to be sustained by them from remote prospective regulations of offices only?

If, Mr. Speaker, it shall be said, that the offices abolished by the 22nd Geo. 3, were offices held at the pleasure of the Crown, and not by patent, and that therefore that act does not apply to the offices abolished or regulated by the finance committee, then I beg, Sir, to refer the House to the act of the 23rd Geo. 3, c. 82; an act which may be truly said to run on all fours with the regulating acts of the finance committee, and which I am perfectly convinced must be considered by all reasonable men as quite conclusive on this subject. The title of the act is, "An act for establishing certain regulations in the receipt of his majesty's exchequer." This act, be it again observed, was brought in by Mr. Burke, Mr. Secretary Fox, and lord John Cavendish, all official and responsible servants of the Crown at that time; and it recites, that in the receipt of his majesty's exchequer there are several useless, expensive, and unnecessary offices; and that the emoluments arising from other of the offices in the exchequer are become excessive; and that the mode of paying the officers by allowances, fees, and gratuities, is inconvenient, both to the public and individuals. And then come the various enactments of the bill, viz. that the offices of the two chamberlains, tally cutter, and usher, upon the deaths of the then possessors, are to be abolished; and the offices of the auditor of the exchequer, the clerk of the pells, and the four tellers of the exchequer, upon the deaths of the then possessors, are to be subject to the following regulations; that is to say, the whole profits of the auditor are to be a salary of 4,000*l.* per annum, those of the clerk of the pells 3,000*l.* per annum, and those of the four tellers of the exchequer 2,700*l.* each.

Now, Mr. Speaker, we all know what these different offices in the exchequer have been worth: the two unreduced tellerships of the exchequer, which were held by the late marquis of Buckingham and the present lord Camden, produced, during the late war, between 20 and 30,000*l.* per annum each. The auditorship of the exchequer, which, according to the commissioners of public accounts, was from 7,000 to 8,000*l.* in 1780, would have produced, if unreduced, 60 or 70,000*l.* per annum during the late war. These offices were indeed prizes for our high and efficient public men; two or three of such offices alone produced more in amount, much more, than all the offices put together, which make the subjects of regulation by the finance committee; and yet, Mr. Speaker, it never occurred to any of our public men in 1783, that they had a claim upon the public to be supported by pensions, in return for these great and important regulations and reductions, which they themselves introduced into the offices of the exchequer. Nothing, certainly, can be more striking than the contrast between our public men then and now: on that occasion, the ministers of the Crown reduced the great patent offices of the exchequer, from being offices of exorbitant profit down to

places of limited definite value, leaving the patent and the patronage still in the Crown. The ministers of the present day, by the means of a finance committee, transfer these same reduced patent offices from the Crown to the Treasury, leaving the improvement in economy quite indefinite, and at their own discretion; and then they take 42,000*l.* per annum to themselves, in pensions, as a compensation to the Crown, forsooth, for the loss of that patronage which they themselves had taken from it.

When the act of 1783 passed this House, the old duke of Newcastle was Auditor of the Exchequer, lord Hardwicke was first teller, lord Northington the second teller, Mr. Burke and Mr. Fox were both in office; Mr. Pitt too was then upon the stage, and taking an active part upon these very subjects; he himself having introduced a bill into this House, about that period, to abolish various patent offices in the Customs; and, without meaning to give offence to any man, I may be permitted to say, Mr. Speaker, that the persons I have mentioned were as worthy of being considered "high and efficient public men" as any statesman we have now living; and yet, Sir, as I have before observed, it never entered the imagination of any of these distinguished persons, that the abolition or regulation of offices was to be paid for by pensions to the servants of the Crown.

If any other case were wanting to confirm what I am now stating to have been the invariable practice up to the year 1817, of abolishing or regulating useless offices, without the public being called upon to pay for such obvious improvements, such case is to be found in an act, which passed so recently as in the year 1807. Here, again, this act was introduced by official responsible servants of the Crown, by sir John Newport, lord Henry Petty, Mr. O'Hara, and Mr. Parnell, the two first the Chancellors of the Exchequer for England and Ireland, and the two latter gentlemen Lords of the Treasury for Ireland. By this act, Mr. Speaker, a great variety of patent offices in the customs in Ireland are regulated or abolished, the united amount of which in value would equal, or nearly equal, the whole of the offices which have come under the consideration of the Finance Committee, and offices too, which will be found to be for the most part in the possession of the aristocracy and principal gentry of Ireland. And yet, Mr. Speaker, no compensation is to be found in that act to the high and efficient public men of either Ireland or England for those improvements, or to any other persons, excepting the clerks.

And now, Mr. Speaker, having finished my case, it is for the House and the country to decide, whether our affairs were not more judiciously and prosperously conducted, under the old and uniform practice of the monarchy and its constitutional advisers, than under this new dynasty of Corfe Castle and a Finance Committee. We are 600,000,000*l.* more in debt now, Mr. Speaker, than when the bill of 1789 was passed: I presume that will not be advanced as a reason why we should purchase economy from our public men now, and not have done so then; but, in short, Sir, I feel confident, that when this ministerial pension bill of 1817 shall be thoroughly understood by the country, when it is recollected that it comes from a committee, named by a minister of the Crown, and formed for the express purpose of relieving the people by reduction or regulation of public offices—when, in addition to this, it stands uncontroverted, that this bill is without precedent, and in direct violation of all former laws and usage upon the same subject—I say, Sir, I do feel the greatest confidence, that sooner or later this act will be taken from the Statute book. I am not now, Sir, about to ask the House to come to such a decision: I shall defer that motion to another opportunity: I am now only going to ask for that information, which the pension act itself directs to be annually given. It is a tolerably degrading motion for a member of this House to make, I admit; but as long as this act remains a law, I am compelled to ask, on behalf of the nation, how their account stands between the sinecure men and the pensioners, under these acts; how many of the former are dead; how many of the latter are coming into existence. When these returns are made to the House, I shall be able to shape my course accordingly. At present I shall conclude, Sir, by moving for "An account of all profits which have accrued to the public from the abolition or regulation of offices under or by virtue of the different acts of the 57th of his late majesty hereinafter mentioned, that is to say, c. 60, 61, 62, 63, 64, 66, 67, 84;" and "An address for an account of any pension or pensions granted by his ma-

jesty's sign manual, under and by virtue of an act passed in the 57th of his late majesty, c. 65."

Mr. *Bankes* said, that after the attack which the hon. member had made upon the Finance Committee of 1817—after his having said that the proceedings of that committee were an abominable outrage—the House would perhaps be surprised to hear that that hon. member himself was a party to the principles recommended in the report of that committee; that he and his friend near him (Mr. Bennet) were as much committed by the principle of that measure as either the noble marquis or himself. In order to prove what he said as he went on, he would read a resolution which had been passed in that House on the 31st of May, 1810. A debate had arisen out of a variety of resolutions proposed in a Finance Committee, of which he (Mr. B.) was chairman, in 1808. In that committee one set of resolutions had been proposed by Mr. Henry Martin, another by the late Mr. Perceval, a third by the right hon. member for Waterford (sir J. Newport), and a fourth by himself (Mr. Bankes). Upon the merits of these resolutions various debates had taken place, after which a resolution was passed by the House (and he believed the hon. member for Shrewsbury was teller on that occasion), declaring that it was expedient to grant to the Crown full and ample means to reward its high and efficient servants, and that in any attempts to abolish or regulate such places, a strict regard should be had to the existing interests in those offices. The hon. member had said, that he was absent from the House when the 57th of the king was passed. This was matter of regret to the country, as no doubt had the hon. member been present, they would, by his able advice and assistance, have been prevented from running into the numerous errors into which it was now said they had fallen. But, in 1810 the case was different; for it happened, that on the very day, when the resolution to which he had just alluded was passed, the hon. member and lord viscount Milton were tellers upon a division which took place early in the evening. Now, if the hon. member was a party to the measure (as he must have been if he were present and did not dissent from it), what, he would ask, had since happened to justify him in altering his opinion? Having said so much, he now came to the bill itself. His hon. friends opposite knew that, though he gave his accordance to the general principle of the measure, yet he was opposed to some of its details. He had always been anxious that there should be a certain limitation to pensions. At the time of the passing of Mr. Burke's bill, that great statesman had left the great offices of the Exchequer as he found them; they were sinecures, and intended to be applied for the remuneration of civil servants who had deserved well of their country. The 22nd report of the committee of Finance had alluded, in some degree, to that part of Mr. Burke's consideration; and had stated, that sinecure offices might be usefully employed in particular instances, either in rewarding a peerage granted for public services, or securing a retreat for those who had deserved public favour. Mr. Burke had said in his speech, when touching upon the subject of sinecures, that he had regarded many of them as fundamental parts of the constitution of this country (as he believed they were equally of others), as furnishing the means of rewarding public servants, who ought to have an ulterior dependence to look forward to the attainment of, beyond the daily wages of the Crown; and that this prospect could not be upheld unless some reservation were made to enable the Crown to supply it; unless, in fact, a suitable equivalent were provided, in the place of such sinecures as the House should deem it necessary to abolish. Why did not the hon. member declare the principle of this bill an outrage, when he (Mr. Bankes) opposed Mr. Perceval upon some of its provisions, a week before the death of that minister, and when the hon. member had assisted him in that opposition. There were those who declared for measures, not men; and who derided any attachment merely confined to individuals, instead of embracing principles: it remained for the hon. member to explain to which practice he adhered, and how it came to pass that the same individual who had in 1812 and 1813 voted for one principle, should now, without any qualification, venture to pronounce it a most abominable outrage. It was the first time that he had heard such terms applied to the principle of the bill. —The hon. member had represented, that this bill, instead of economising for the nation, had entailed upon it a permanent expenditure of 42,000*l.* a year.

That was the effect which he seemed anxious to ascribe to it, which he wished to have propagated among the people of England, and to be harangued upon at their public meetings; where they were to be told that the nation was paying 42,000*l.* a year for a bill of economy; No doubt he (Mr. Bankes) was to be held specially responsible for the declared effect of the measure, and the hon. member considered as one who had been shocked at it from the outset: he was no doubt to be held as belonging to this corporation of statesmen, who had a right to put their hands into the pockets of the people, and who had usurped the royal patronage; for it was another part of the hon. mover's object to draw a distinction between the patronage of the king and the acts of ministers, and to show that the bill took away from the Crown a source of emolument to vest it in ministers. Such an assertion was too strong for the House; indeed, he thought it would prove too gross for those public meetings which took place in many parts of the country. Every body knew that his majesty conferred these places, acting under the advice of responsible ministers. But what he principally begged of the House to do, was, not to let the hon. gentleman escape from his implied assent to the whole principle of a bill at the time of its discussion, to which he now applied such violent epithets. The hon. gentleman could not have seriously intended that the House should believe the bill had imposed an expense of 42,000*l.* a year upon the country. Did the honourable gentleman not know that the bill of which he had so loudly complained, had effected a saving by the reduction and abolition of particular offices? Did the honourable gentleman not know that for the pensions granted, there had been large salaries saved? In the Court of Exchequer alone, the new regulations had caused a saving of several thousand pounds. He would then say to the hon. member, and to his friends (if he had any) who were prepared to support him on the present occasion, that they could not concur in the hon. member's sentiments that night without admitting that they had been very foolish, or very factious before, or were very inconsistent now. Suppose they were to repeal the bill alluded to, would they not in point of strict justice, be obliged to reinvest the Crown with the use of the same sinecures which had subsisted before the bill? They should give the Crown what the Crown had abandoned, in carrying into effect the regulations enacted upon their recommendation. He, for one, would never be a party to so great an injustice as to revoke a settlement with the Crown, without re-enacting the same provisions which had been abandoned in virtue of the engagement with parliament.

Mr. *Bennet* said, the hon. gentleman had taken great pains to advocate the cause of his own child; and to demonstrate its vigour and its promising appearance; but, instead of showing that it was a strong and healthy child, he had only proved to the House, that it was one of the most ricketty bantlings that ever was produced, and should have been strangled at the moment of its birth. The hon. gentleman had said, that he (Mr. Bennet) had given his assent to the resolution of 1810; this statement was rather unfortunate, for he was not then in parliament. It was in 1812 that he came into parliament; and in 1813 the hon. gentleman produced his bill for getting rid, as it was said, of sinecure places. He had been told that he voted for those bills; and no doubt the assertion was correct. He would say further, that if any hon. gentleman were to produce a bill for their abolition, he should be again disposed to give his support to the measure. But the House might recollect, that in 1817, when that bill to which such frequent allusion had been made was passed, he did join in opposing it; because he could not give his assent to one particular part of the bill—namely, that which was now under discussion. He felt then, as he did now, that the bill was a great outrage; and if that was his feeling at the period of its being passed, he was disposed to consider it as a still greater outrage at the present time. Adverting to what had fallen from the hon. member, with regard to the recommendations of certain committees, he begged to express his opinion that if there was one thing more than another upon account of which that House had much to answer for to the country, it was the habit of granting committees for particular purposes; and, after such committees had applied themselves to the examination of the matters referred to them with the greatest assiduity and care, of treating the result of their labours with scorn and contempt—a habit of receiving reports, and of rejecting the

conclusions to which they had arrived. These were the committees which were presided over by chairmen who never afterwards—the reports have been so brought in—troubled themselves by referring for a single moment to what had taken place while they were in the chair. And here he might truly say, that he did not know of any one gentleman who had so often been chairman of economical committees, who had promised much, and who had performed so little, as the hon. member for Corfe-castle. He knew no man whose acts were more disproportionate to his words. If he were required to name the most extravagant and wasteful member of parliament that had sat for years in that House, who had voted away with the most lavish profusion, millions of the public money, while he had dissected the application of the most minute and insignificant sums—the member, in short, who had nibbled at the cheese-parings while he left the entire cheese altogether in other hands—he could point out no person so properly as the hon. member for Corfe-castle. The hon. gentleman had talked much of that high respect for public opinion which the gentlemen who undertook office must necessarily be supposed to entertain. Great as their respect might be, he (Mr. Bennet), speaking from his own experience, could only declare that he never knew any one of those gentlemen, however large his fortune might be, who refused to accept an addition to that fortune in the same moment that he took office. This was most unfortunately true; and if he were called upon for the proof, he should say, that no case could be more in point than that of the Grenville family. He would read a short statement of their allowances in pensions and salaries of sinecure offices. It would not perhaps occasion much surprise, because their moderation was known to every body! In the year 1795, lord Grenville became an auditor of the Exchequer, at the regulated salary of 4,000*l.* per annum, so that he received during the whole of the period for which he held the office (22 years) 88,000*l.* of the public money. Mr. Thomas Grenville was presented with the sinecure office of chief justice of Eyre, with a yearly salary of 2,000*l.*; and he took altogether no less than 44,000*l.* In 1763, the late marquis of Buckingham was appointed first teller of the exchequer. He enjoyed this office for the space of 56 years, and taking the average salary at 10,000*l.* a year, which he thought was rather below the mark, his lordship must have derived from the public purse during that period the enormous total of 560,000*l.* Lord Braybrooke, another branch of this family, in 1762, was presented with a sinecure appointment of not less than 3,000*l.* a year; and up to the present moment, consequently, he had taken 180.000*l.* altogether. By the paper which he held in his hand, it appeared that from the earliest of the periods he had named, up to the present year, the Grenville family—professing (according to the doctrine of the hon. member for Corfe-castle) so high a respect for public opinion—had shared between them no less a sum that 872,000*l.* The object of the present motion was, in effect, to ascertain whether the crown was to be subject to any control in the disposal of pensions and places. The hon. gentleman had talked about the result of such a motion being to leave the crown bare. Bare! bare of influence? Good God! to hear the hon. gentleman talk, one would suppose that the Crown no longer possessed any influence whatever in the country. It was indeed proposed, as expedient and practicable, to effect the reduction of the four tellerships of the Exchequer, of the two chief-justiceships of Eyre, and of the auditorship of the Exchequer, altogether seven places. But surely these were not the only places to which the Crown could present. He hoped it was not meant to be contended, that secretaries of state and clerks of the council must become also clerks of the pipe, or surveyors of green wax. Enough, and more than enough, would still be left to the Crown to give away. All these seven places had been granted in reversion: of latter years they had been given to the sons of the chancellors of England. But was it because any gentleman spoke of the propriety of their being reduced, that the hon. member for Corfe-castle was to talk of the Crown being left-bare? The Crown, as it had been well and truly said, possessed in these days an influence which met a man at every corner, which he was sure to experience in every situation of life. No condition was too exalted or too humble to escape its operation. But when they said so much about diminished influence, he must beg to read what were the amounts of sinecures and pensions which the Crown yearly gave away, or appointed to, according to official returns made

up to the 5th Jan. 1820. These amounts, as they stood on his list, were as follow: For England, per year 132,000*l.*; for Ireland 71,000*l.*, besides pensions for patents 4,000*l.*, pensions to foreign ministers 52,000*l.*, pensions on the 4 and a half per cent duties, about 36,613*l.*; making a total of 295,613*l.* But, in addition to this sum, the House must consider the amount of the pensions on the consolidated fund, which were pensions more or less subject to the approbation of parliament; and they must observe, that all this statement was exclusive of the pensions granted to the various branches of the royal family; chargeable, indeed, on that fund, and amounting to about 186,000*l.* per annum. It might, perhaps, be fairly said, that directly or indirectly, the pensions paid to the various appointments of the Crown, either with, or exclusive of, the approbation of parliament, amounted to considerably upwards of 464,000*l.* Yet the hon. gentleman talked of their wishing to leave the Crown no influence. But he (Mr. Bennet) had sufficiently shown that the great reduction was proposed to be applied to seven places, which the Crown nominated to. There were other 30 or 40 inferior appointments, which none of those gentlemen who must feel so high a respect for public opinion, could hold without discredit to themselves. But the important fact was, that for the payment of these salaries or pensions, 42,000*l.* were added, in effect, to the burthens of the country. Then, as to the disposal of these places, what security had the country for the discretion or the propriety with which they were granted away? It was notorious that the greater part of these places was given away in return for acts of political jobbing; that they were given in order to enable ministers to carry some political purpose or other, either in or out of that House. There was no man who knew any thing of the history of this country for the last 100 years, and would give himself the trouble of taking Beetson's "Political Index" in his hand, who would not find that such places were, for the most part, bestowed upon men who made a sale of themselves, of their principles, and of their votes, for certain sums of the public money—men, who either by themselves, or by the persons they sent to fill their places, thus pledged themselves to support the ministers of the Crown, in every measure they might propose. So far from public merit being the surest and best claim for such situations, it was nothing but the utmost political baseness which would entitle a man to indulge the hope of filling any of them. As to the rights of the Crown, in the sense in which the hon. gentleman had been pleased to look at them, he did not understand the meaning of the words. The rights of the Crown were given for the protection of the interests of the people. He knew not what the hon. gentleman meant by talking of the right of the Crown to dispose of large sums of public money to unworthy persons. There was no right more binding on the Crown, than to protect the people; and none more sacred or undoubted in the people, than the right they possessed of keeping or of disposing of their own property. If a right existed in the Crown to grant pensions or sums of public money by its own appointment, it was one that was so vested in the clear understanding that it was not to be abused. He meant to say distinctly, that the influence of the Crown was too great in the country from one end of it to the other. It was too great in the House of Lords; and for the proof of the numbers of votes which the Crown, by some means or other, had at its disposal within those walls, he need only refer hon. members to the majorities which they reckoned there every day. To show that the hon. gentleman, however, had sometimes a glimmering of right feeling, and a true sense of the state of the country, especially when he took up his pen in his capacity of chairman, he would read a short extract from the 3rd report of the finance committee in the session of 1810. [Here the hon. gentleman read a passage from the report to this effect—that no public offices of any description were originally created for the mere purpose of giving lucrative employments to the disposal of the Crown; the fact being, that, originally, specific duties had been attached to all of them, which, either from the alteration of manners or customs, or from the nature of the arrangements subsequently made in respect of them, had either been dispensed with or allowed to be performed by deputy, &c.] Yet now the same hon. gentleman ventured to tell the House, that they must either restore these matters to their old system of abuse, which was bad enough, or to their new system of reform, which was still worse. With the exception of one of them (Mr. Peel) there was not one of the

secretaries of state who had not served his time to the sort of political corporation which existed on the other side of the House; or who, as having served his time, might not receive his pension whenever he should think fit to take it. Every one must have observed, that of late years this principle of granting pensions had grown to such an extent, as to startle and alarm the country. It was a little too much, that official gentlemen, having remained in their capacities for the space of a few years only (in some cases for not more than one or two; and in one instance, which had been recently taken notice of, for the space of less than one year), should be entitled to consider themselves as pensioners upon the country, for the remainder of their natural lives. A word as to county meetings. He should like to see the hon. gentleman present himself at one of those county meetings which he had in so sneering a manner adverted to: for he would venture to say, that no greater detection of the character of a human being ever yet took place, than in such an assembly would be made of the character of the hon. gentleman. He would find, that the jury of public opinion was of a very different nature from a jury of parliament; and that his real character was made known, instead of his being held up, as he had often been held up in that House, for the advocate of retrenchment and of political improvement. He would be told, that while he watched with a patient and scrutinizing eye, the appropriation of a few paltry pence, or shillings, he gave his aid to an unlimited squandering of pounds; he would, in a word, be at length discovered to be a staunch supporter of the government, in every measure of immoderate expenditure; however he might at times have been the advocate of some petty system of insignificant retrenchment.

The Marquis of *Londonderry* should feel it necessary to detain the House but for a very short time; because, to a motion which had for its object the return of certain resolutions which parliament had agreed to, he could feel no objection. With respect to the speech of the hon. mover, and still more to the speech of the hon. gentleman who had just sat down, he must be allowed to say a few words. And he could not help acknowledging on this occasion, the extreme gallantry with which the hon. gentleman who spoke last, had come forward in aid of the hon. member for Appleby. But he regretted that the hon. gentleman's prudence was not equal to his gallantry; for, notwithstanding that the hon. member for Westminster (Mr. Hobhouse), who had had a pretty considerable experience in matters of this sort, had offered his services to support the battle of the member for Appleby, the hon. gentleman seemed to have declined his offer. He thought he acted unwisely in so doing; and that he would have done well to have availed himself of an ally, who had been long accustomed to this kind of service. At the same time, he doubted whether the talents of the hon. member for Westminster would have proved sufficient to cover the retreat of his friends. The hon. member for Shrewsbury, however, actuated only by his feeling of gallantry, had determined to rush to the charge; and it was for the House now to ascertain what was the ground which he occupied. He had informed them, that he was not present when the foundation of the measure adopted in 1817 was laid in 1810—when its principle was laid down, and received the support of that very hon. gentleman who had brought forward the motion of to-night. One might almost be tempted to believe, on the credit of the strenuous support so given by the hon. member, that there was a certain period of one's life beyond which the political memory of man went not—a period beyond which no man was to be considered answerable for past political acts. A very convenient doctrine this, and very readily adopted by some of the gentlemen on the other side! The fact was; that when, in 1810, the principle of the measure in question was laid down, the hon. member for Appleby did give it his strong support. The other hon. gentleman protested that he was not a party to the measure of 1810, but admitted that he might have supported the bill of 1817, on the same grounds that he had supported many bills that had contained some provisions that were in contrariety to his own opinions; namely, that he was willing to get something—to take the rough with the smooth. But, both hon. gentlemen were in error in one respect: these sinecures were never retained for the sake of the Crown; they were retained by the Crown for the sake of the country. They were a mode of rewarding public services; and a mode which, before it was adopted, had been long very loudly clamoured for. Now,

the hon. member for Appleby had done the most unfair thing in the world; for he required that the House should put altogether out of their recollection, seven years of their opposition to the bill of the hon. member for Corfe-castle, in favour of about as long a period during which he had contended for its repeal. And now the hon. gentleman wanted to put to sea again in his fleet of thirty or forty grievances and pensions. His (lord L's.) objection to the bill of 1817 was, that it conferred on the Crown a power of giving away pensions without any control of parliament. It was, therefore, on a principle of regard for the public expenditure that his opposition had proceeded. The objection of the hon. mover was really most singular, though he did not mean to say, but that the hon. gentleman, viewing the matter with the experienced eye of a sagacious politician, might possibly be very right. But the hon. gentleman would not at all object to a bill that should give the Crown the power of appointing to pensions, provided (in the hon. member's own words) "it had been brought forward under the old dynasty." If it had originated under George 3rd for instance, he would have made no objection at all. The hon. member would not have objected, if it had been under what he called the true reigning dynasty, to confer on the Crown so unrestrained a power. As for the hon. member for Shrewsbury, if he would only make a calculation, and add it to the many others in his pocket-book—if he would make only one additional but good natured calculation—(for the character of the last which he had read was rather sour and unpleasant) —he would be enabled to state to the House, how much government, under the bill in question, might have given, and how little it had given away. No reproach at least would be made to government of any thing like excess in this particular. But the hon. gentleman seemed to think that the effect of that bill was, to erect gentlemen on the ministerial side of the House into a sort of corporation, of which the members at their pleasure granted pensions to one another, without even going into the presence of the Crown to ascertain its pleasure on the subject. If it should ever happen that the hon. gentleman and his friends should once more come into office, the only difference between them and their political opponents would be, that the bill in question would give them the power of conferring the same pensions on individuals without any service to plead, as he said were now taken by those who had many years of service to plead. He should say nothing of the good taste with which the hon. member had quoted a list of names, some of which were borne by parties still living: he did not think it very fair; but he did think it most unfair that the hon. gentleman should not have resorted to some historical explanation of his list. When he spoke of emoluments, he should have contrasted them with the public services for which they had been granted. In the case of the late marquis of Buckingham, he might have said how much of his emoluments that nobleman had given up. He did not know how it was, but during the number of years for which both himself and the hon. gentleman had sat together in that House, he had never heard him make the slightest allusion to this list before. He did not know whether the hon. gentleman wore winkers or no; but his vision did not seem sensible of any objects till they got exactly opposite to him. [Much laughter.] He confessed that this sudden perception of abuses—this little neat pocket-book kind of statement—seemed to be connected with some recent transaction, that had brought the objects exactly within the view of the hon. gentleman. As there was no statement that could come from the hon. member with a much worse grace than this, so there was nothing in the whole course of this session that had been much more painfully received. He did not think the House would feel disposed to admire the crane-necked research of the hon. gentleman into the emoluments derived by the various branches of a distinguished family from the public. The noble lord concluded by saying, that, notwithstanding the air of determined purpose with which the member for Appleby had come down to the House, and that severity of manner which was at all times so alarming in the person of the hon. gentleman, he (lord Londonderry), while he should offer no objection to his motion, saw nothing to which it could lead, that the House would feel disposed to entertain.

Mr. *Creevey* rose to reply, and said, that he could not be persuaded by the noble marquis that his motion was ill-timed. On the contrary, he felt it was a motion which the House ought to entertain. He had been accused of having

changed his opinion as to the principle of the bill. Now, in this he felt no reproach: he was now sure that he had formerly been wrong; and it was not extraordinary that a man should at one time see a question in one view, and, at another time in another. One thing, however, he was sure of—that this change in his opinion had not been effected by getting into office. It could not be said that his opinion was influenced by lucre. All he knew was, that the act was an extremely bad one; and he would do the best that in him lay to get it repealed. It had been said that he was willing that the Crown should grant pensions, though he could not approve of the act by which the grant of them was regulated; he had said no such thing. All he had said was, that if the proposers of this law had been sincere, when they held it out as an equivalent to the Crown for the loss of sinecures, they would have placed a certain sum at the command of the king for the granting of pensions, and not have specified the places to the holders of which the pensions were to be granted. He had said, that official men formed a corporation who, by this act were to distribute money among themselves. The noble marquis had said, that if his (Mr. C.'s friends) came into place, they also would form this corporation. No doubt of it. Whoever were ministers would have the power to grant pensions among themselves in a scandalous manner. Public men would necessarily lose in character by this act; which could not finally be permitted to remain. All he could say was, that he would do his best to have it repealed; and he thanked the noble lord for advertising the country, that such a measure would be so ill-received by those in office. There were many in that pure, uncorrupt, and immaculate House, to whom the repeal of this bill would be a matter of serious dissatisfaction; but still he would, at a very early day, give the noble lord an opportunity to speak again on this subject; although it did not appear to be a very palatable one to the ministers of the "new dynasty."

Sir *R. Heron* said, he had, at the time of its being proposed, protested almost alone against this bill, and had declared that under the operation of it, the people would again call for sinecure places, as the least of two evils.

The motion was then agreed to.

NAVY ESTIMATES.] On the order of the day for going into a Committee of Supply,

Mr. *Hume* said, he was extremely anxious to obtain the attention of the House for a very short time, as he was placed in rather a novel situation by what had passed on a former day. He had been accustomed to bring forward statements founded on the official documents presented to the House, and, as far as in him lay, to produce only such statements as those documents warranted. He was so unfortunate, when last the House was in a committee of supply, as to have had several of his statements contradicted by the hon. secretary for the Admiralty, and contradicted in a manner as decisive as could possibly be assumed. The hon. secretary had then stated, that he was reading from the estimates that which he (Mr. Hume) would prove he could not have read from the estimates; namely, statements of the amount of various charges. In the first instance, however, he called on gentlemen to mark the situation in which he and other members of that House were placed. He did not boast of being able to make fine speeches like the hon. secretary. It was not his practice to deal in sarcasm and ridicule. He knew his situation too well to pursue any such system. If he acted otherwise, he should receive that reproof from the House which such conduct deserved. He always came forward with such facts and statements as he was enabled to collect from documents laid before the House; and he expected that any person who attempted to answer him would do it in candour and fairness, and not as the hon. secretary had done. He was free to say, that if they did not meet each other on matters of fact, he should be no match for the hon. secretary; who had a power within the House, and a power without the House, which he (Mr. Hume) did not possess. The hon. secretary had an intimate connexion with ministers, and all the details of office were open to him: it was, therefore, unpardonable in him to err. But if he (Mr. Hume) made a mistake in any of the details, it was only what any member placed in his situation was liable to. Now, though he might not be able to distinguish wood from stone, or ships from barracks, he trusted that he had discernment enough to distinguish facts from fallacies [Hear.] That was all he claimed. He could not enter into that high-flown mode of speech in

which the hon. secretary delighted. He could not declare to the House that the high destinies of this great empire did not depend on the price of beef and pork. He was a practical man, and, on the night to which he alluded, he merely moved for a return of the prices of provisions at different stated periods. He, being a plain matter-of-fact-man, had wanted to know the reason why the same amount was required for provisions when they were at one half the price, as when they were at the highest price. The House, however, had decided, that no reason ought to be given, and he had nothing to say further upon that point.—But there were two important facts to which he begged now to call the attention of the House. He had stated that the total navy estimates for 1817 had been 5,985,000*l.* and that this year they were 489,000*l.* more. The hon. secretary to the Admiralty had told him that he had fallen into a little bit of an error here, for that 671,101*l.* ought to have been added to the estimates of 1817, and that if that sum had been added he would have found six millions odd. He (Mr. Hume) had stated that it ought to be added. He had now verified, both by the votes and by the estimates, the statements which he had then made. An hon. baronet (sir H. Parnell), and the hon. member for Rochester (Mr. Bernal) had assisted him in this verification. He would now show that the hon. secretary had been altogether in error in the contradiction which he had attempted to give him. He (Mr. Hume) had stated, that the estimates for 1817 had been 5,985,000*l.* The hon. secretary, not aware that 671,000*l.* had been added to pay off a debt remaining from a former year, had added that sum in order to find the estimates for that year. This, then, had been his (Mr. Hume's) statement. It would be found very clearly stated in the 8th report of the Finance Committee. In the 52nd page of that report it was thus entered: — "1817 — Naval Estimates 5,985,415*l.*" Now the hon. secretary had called upon the House to add 671,101*l.*, and then to see how triumphantly he demolished him (Mr. Hume) because he ought to have made that addition. The hon. secretary, not understanding the difference between the service of the year and the paying off of debts, had fallen into this error. He hoped the hon. secretary would be more cautious in future. The second point to which he wished to call the attention of the House was still more important. There were certain means by which certain speeches got into certain publications of the day. Who wrote them he did not know. He found the debate, so far as regarded his own speech, correctly given as it had been reported in a morning paper, from which it had been copied into an evening paper. But the hon. secretary's speech had been completely perverted. It had been changed both in substance and in manner. He (Mr. Hume) had founded his statement upon the estimates from the termination of the war. He had referred to the very page of the Appropriation act for the amount, which was 17,702,258*l.* "But," said the hon. secretary, "I shall completely show how little foundation the hon. member for Aberdeen has for his statements, and that he does not know a ship from a dock-yard." The hon. secretary had clearly understood the head of charge to be building and repairs, for he had professed to take him (Mr. Hume) up on his own position. Now, what was the fact. The House would recollect from the hon. secretary's own statement, that under the head of repairs and building, there were three items, and three votes, which it had not been usual to give in a separate form, or to lay before the House in a printed statement, until the last year—an arrangement for which they were indebted to the hon. member for Appleby. The three items were for wear and tear, for ordinary repairs, and for building, rebuilding, repairing, &c. And here he must admit—for he was willing to give the hon. gentleman credit for all his discoveries—that the hon. secretary had detected one inaccuracy. He (Mr. Hume) had called the item "tear and wear," which the hon. secretary had triumphantly shown to be incorrect, and had proved, much to his own satisfaction, that it ought to have been "wear and tear" [a laugh]. Now, he could assure the hon. secretary, that he had his full permission to be witty, provided he would speak truth. Men who went to the wars must take their chance for blows; and he (Mr. Hume) was necessarily exposed to the elegant sarcasms, and refined raillery of the hon. secretary for the Admiralty. To the wit of the hon. secretary he must submit with resignation, and the only condition which he wished to impose upon him was, that he would adhere to the truth [a laugh].

Now, he would concede to the hon. secretary all the benefit of his correction of "wear and tear" for "tear and wear," and he was even glad that he had detected him in this inaccuracy; because it would prevent the possibility of his evading the explanation which he (Mr. Hume) was prepared to give of that, and the other items. Now, he admitted, that what he had stated on a former night had been correctly given in the journal to which he had before alluded; namely, that the whole expense of building, rebuilding, repairs, &c. from the year 1815 up to the last year, amounted to upwards of 17,000,000*l.* Now, let the House compare this statement with the official returns, correcting, of course, the inaccuracy in terms detected by the hon. secretary in the first item. The amount of wear and tear then for that period was 6,131,153*l.*; under the head of ordinary repairs the amount was 2,602,456*l.*; for building, rebuilding, and repairing ships of war, the total was 8,530,498*l.** The charge under the head of merchant's yards was 438,141*l.* making in the whole a total of 17,702,258*l.* The House would see, therefore, that his (Mr. Hume's) statement was correct, and they would by this time be able to appreciate the triumph of the hon. secretary for the Admiralty. If it were not for the delay which would arise from such a course, he would call upon the clerk to read over the returns, item by item, which would shew the accuracy of every statement which he had made on the former night. He had never yet made a statement which had been successfully impugned by hon. gentlemen on the other side, and he trusted he never should. Men were always disposed to pay attention to official contradictions; and certainly, from the tone which the hon. secretary had assumed the other night, and from the vehemence with which he was cheered, it might have been supposed that the secretary's triumph was complete, and that he (Mr. Hume) had foundered never to rise again. If he had been disposed to place reliance on the statements of the hon. secretary, he might, perhaps, have been staggered by the confidence with which they were advanced; but here were the official returns, clearly proving the accuracy of every statement which he had made, proving, in short, that there was not the slightest ground for the intrepid assertions of the honourable secretary. Conceiving, therefore, that ministers ought not to call upon the House for a sum of 1,781,325*l.* without explanation, and anxious that such an explanation should be given as the state of the country, and the protection of the public money demanded, he should conclude by moving, "That in order to enable the House to judge of the propriety of voting the Public Money for the support of the Naval and Marine Establishments, and Ordnance for the Sea Service, for the year 1822, it is expedient to have such Estimates in detail before the House, as shall point out for what specific services the sum of 1,781,325*l.* is to be appropriated."

Mr. *Croker* said, he had no doubt the hon. member was sincere in the statement which he made on a former night, for otherwise, he certainly would not have revived the discussion to-night. He would pledge himself again to prove to the satisfaction of the House, that the hon. gentleman had only got deeper into the mire. In all the statements he had made to-night he was either inaccurate in point of amount, or when accurate in the amount, he had mistaken the meaning which ought to be affixed to them. He would begin by clearing away one or two observations which related to himself. The hon. member seemed to imply that he (Mr. Croker) had taken the statement which he made in reply to him, from some private documents. Now, he could assure the hon. member, that he had no such private documents, and that his triumph, which the hon. member himself admitted, was not owing to any manuscript papers, but to the printed statements on the table of that House. The hon. member had also stated, that in the "Courier," his own speech was copied from "The Morning Chronicle," whereas his (Mr. C's.) speech appeared to be corrected by some mysterious and invisible hand. Who had been so good as to correct his speech, he did not know; but he could inform the hon. gentleman, that he had never corrected the publication of any speech of his own, except that on the inquiry into the conduct of the duke of York, and another on the Catholic question, and that he had never written one word for any newspaper for upwards of two years past. The hon. gentleman appeared to have deemed his (Mr. Croker's) speech of sufficient importance to make it

* See Vol. 5, p. 1389.

a subject of inquiry by a committee out of doors, at which an hon. baronet, who was known to be an admirable superintendant of roads, and to possess great skill in conducting them through passes, from which it was difficult to escape, together with another hon. member, had given their sanction to the hon. gentleman, to say that he (Mr. Croker) was wrong, and that the hon. member was right. The House, however, would not be influenced by the authority, however weighty, of any committee out of doors. The hon. member for Aberdeen now said that his former statement was, that the estimates of 1817 were 5,985,000*l*. Now, he would assert, most fearlessly, that the hon. member stated the amount of the estimates for 1817 to be 5,300,000*l*. The hon. member might have made a mistake, but it was impossible that he could have made any other statement; for the whole gist of his argument was, that the estimates of the present year were greater in amount than the estimates of 1817 [no, no, from the Opposition]. This he contended, was exactly the statement made by the hon. gentleman, and if it had not been so, he (Mr. Croker) need not have occupied so much time in answering it on the spot. The hon. member had made a mistake of 600,000*l*.; for by adding the old stores to his calculation of 5,800,000*l*. he made out 6,000,000*l*. in round numbers, which was the amount of the estimates in 1817. The hon. member had said, that the estimates of 1817 were less than those of 1822, and he (Mr. Croker) maintained that the estimates of this year were less by half a million than those of 1817. What other course of argument would have served the purpose of the hon. member? Was it his object to prove that the estimates of this year were more economical than those of a former year? Was it likely that he would have risen to argue the cause of administration? The fact was, that in the printed estimates of 1817, the amount of old stores was deducted from the total amount in a very awkward way. It had been ordered by an act of parliament that the old stores should be abated from the estimates, and taken as part of the ways and means of the year. It was quite evident that they could not be in both; and as the act obliged them to take them as part of the ways and means, the abatement was made to satisfy the act, but did not really appear in the vote. The official blunder, therefore, on which the hon. gentleman had commented, was no other than the blunder of an act of parliament. The exact state of the case was, that the abatement of 671,000*l*. being made in the index to the estimates, the total amount in the large estimates was exactly 5,300,000*l*. This was the sum which the hon. gentleman had taken, and must have taken for the total amount of the estimates, in looking cursorily at the first page of the estimates for 1817, it appeared that the total of the ordinary estimates was 1,805,000*l*.; whereas, if the old stores were calculated, the amount would be 2,476,000*l*. It was evident that the hon. member had looked at the surface of the accounts, and had not gone to the bottom. When he stated the sum to be 5,500,000*l*., he (Mr. Croker) told him he had made a mistake of 700,000*l*. and he would now mention a circumstance which would convince the House that this was the fact. An hon. friend of his (Mr. Croker's) had said to him on the very morning of the debate in question, "I should not be surprised if Mr. Hume should tell us that our estimates are higher this year, than they were in 1817, and I will show you how he will fall into the blunder." He could assure the House that this was not a story invented for the occasion. If the House wished for further confirmation of the fact, he would add, that his hon. friend was not the only person present, but that it took place in the presence of two other hon. members, and several other persons. His first hon. friend continued—"Mr. Hume will not look to all the items; he will cast his eye at the apparent total, and overlook the old stores, and then he will tell us that the estimates of this year are greater than those of 1817." He (Mr. Croker) then said to his friend, "I can hardly believe it possible that he will fall into such a blunder," and when the hon. member did actually fall into the blunder, his hon. friend who happened to sit next him, nudged him, and said, "Did not I tell you he would do so." These were plain facts, but there was a still more important circumstance which he wished to mention. The hon. member, had omitted a paltry sum of 1,600,000*l*. granted within the year for the debt of the navy; so that, so far were the votes of this year from being greater than those of 1817, that the estimates of 1817 were 7,600,000*l*. and the estimates of the present year were 5,600,000*l*. He would now proceed to

the next point, in which the hon. member stated that 17,000,000*l.* had been expended in the building of ships. This he would prove out of the hon. member's own mouth, for how was he otherwise to understand the hon. member's observation, that this sum was sufficient to have built all the navies in the world? If he meant the whole sum which went to build and supply and maintain the navy, then why did he confine himself to that which applied only to building? The hon. gentleman said that this, the sum which went to build only a very small part of our own navy, was sufficient to build all the navies in the universe. But he would go a little farther than this, and would show, from a note which he held in his hand, that, in order to make up this 17,000,000*l.* the hon. member had been obliged to anticipate the period to which he was referring by two years. He had found himself in a mistake, and, in order to get out of that mistake, he had borrowed two years, and taken the expenditure of the years 1815 and 1816 as part of the 17 millions expended since 1817. There was no denying the original statement of time; for, in addition to the reference to 1817, the hon. member had said that the 17,000,000*l.* had been expended within five years. This must have been his meaning—his positive statement; and he (Mr. C.) could bring demonstrative proof of that fact. He held in his hand a bound volume of the accounts of the navy; and he could not account for the presentiment which led him to it. He had opened the book beginning at 1817, and read the items—yes, he had begun at 1817 and not 1815, and read the items: and as he went on to quote 1817, 1818, and 1819, and so on, the hon. member for Aberdeen had nodded, and repeated the word "correct." This, however, was not all. He had not only gone back two years, but he had read to the House the items of the 5,700,000*l.* The House would recollect with what accuracy, and so guess at the way in which he had made up the 17,000,000*l.* He had done this by putting together in one mass every thing that had related to the navy. The House would thence judge of the way in which the hon. member had met the charge brought against him—of not knowing wood from brick, and ships from houses, and drains and dock-walls. But, even if he had met that fairly, it was of no use as an argument; and the hon. member could take but small credit, that, in not having comprehended how the whole allowance for the building, repairing, and maintaining of ships, together with the construction and repair of dock-yards, docks, houses, drains, &c. entered into the 17 millions, he should have chosen to mix all the separate items into one mass, and call them by the strange name of ship building. Now, if the hon. member had exercised due diligence (he would give him credit for diligence, certainly, but it was not due diligence) he would have seen whether that was fair. He would have seen that the expense of all the public works, works of great magnitude, importance, and expense, were contained in that mass which he had brought forward as ship-building. But he (Mr. Croker) would, for the sake of argument, allow the hon. member the benefit of the two years preceding 1817; and he would show that he was not right with regard to the seven years. For it would be recollected, that in this sum there was included the expense of the fleet afloat, as if it had formed part of the ordinary wear and tear, or of the ship-building. Yes; the hon. member had represented the 17 millions has being the ordinary expense of the navy upon a peace establishment, when, in fact, it comprehended 1815, which was a year of war; and in which year the wear and tear, amounted to three millions and a half. Now, if that year of war was to be included in the expense of a peace establishment, why not include all the years of the war? The hon. gentleman had misrepresented ministers in saying, that they had refused him access to the details of the victualling of the navy for 1821, since he never asked for them. There would have been no difficulty in the granting of them, and yet he says he was refused. The hon. member had come down to move for a new trial, upon two points: but why had he done it only on two? They must judge of accuracy by general accuracy, and not by one or two statements out of a large number. The hon. gentleman informed the House, that the marines cost the country 330,000*l.* whereas the whole pay of the navy was only 600,000*l.*; and thus the government, which above all prided itself upon the glory and the power of its navy, had reduced the pay of that navy to the paltry pittance of 300,000*l.* a year. The manner in which he arrived at this conclusion was, by taking the whole expenses of the marines, barrack, accoutrements, food, and every thing, and de-

ducting it from the wages alone of the navy. This was like all his other accuracy. There was the case of the paymaster, for whom he told the House they were called upon to vote a large sum; when in point of fact the case did not occur in the same estimate, and would be brought before the House in its proper place. He left it to the House whether they would give information of an important nature, upon the ground of such statements, and whether they could ever feel safe in acting upon them. There was no one who had more consideration for the infirmities of our nature, and was more exposed to them than himself: if, therefore, warmth of feeling had led him out of the way in discussing this topic, he trusted that it would be attributed to no improper motive. What he said of the hon. member he meant only to apply to his figures and statements. The conviction that the hon. gentleman was erroneous in his calculations, was so strong upon him that he could not resist it. He gave him credit for sincerity, but, under that sincerity he was directly and positively misleading the House.

Mr. *Bernal* said, he could not compliment the hon. secretary on pursuing a straight forward path, in the course of his observations on the statements of his hon. friend. He had paid the utmost attention to what had fallen from his hon. friend, and certainly he did not hear him state the 17,000,000*l.* to have been expended in building and repairing alone. His hon. friend must have taken into consideration the sums expended from 1815, for he had particularly mentioned seven years. Did the hon. secretary mean to deny that, for seven years, including 1815, 17,000,000*l.* had not been expended in wear and tear, ordnance, repairs, building and rebuilding both in king's and merchants' yards? That his hon. friend had no disposition to swell out the sum appeared evident from this circumstance, that he did not take into his calculation 1,000,000*l.* expended during the seven years from 1815 in dock-yard improvements. The admission that 17,000,000*l.* had been expended, was quite enough to demolish the structure raised by the hon. secretary. Even throwing out the years 1815 and 1816, still the sum expended would be found no less than 10,000,000*l.* He had examined the naval estimates for several years, with considerable attention, and was satisfied that his hon. friend's statement was well founded.

Sir *H. Parnell* said, that his hon. friend's statements were not only supported by the recollection of gentlemen who heard him on Friday, but were confirmed by an appeal to the Parliamentary Debates of last June, where the same accounts and the same tables were given. It was there stated that 5,300,000*l.* were the expenses of the navy for 1817, and the sum of 671,000*l.* was added for old stores. His hon. friend read his statement on Friday from his former published statements; how, then, could he be wrong on Friday, when he was formerly right, with regard to the 17,000,000*l.* for the last seven years? The hon. secretary had certainly mistaken the statement of his hon. friend.

Mr. *Ricardo* said, he had felt great alarm, at first, when he heard the difference of 671,000*l.* between the hon. secretary and his hon. friend; and had thought that his hon. friend must be in error. He had since been convinced, however, that his hon. friend had included the 600,000*l.* and that it was the hon. secretary who was wrong in saying that he had not.

Sir *G. Clerk* said, he must contend that the hon. member, in stating the estimate for 1817, had made it 5,300,000*l.*, and had made no allowance for the 671,000*l.* He remembered this the more, as he had previously mentioned to his hon. friend, the secretary of the admiralty, that the hon. gentleman would probably fall into that mistake.

Mr. *Brougham* said, that on a subject so important to his hon friend, he wished to make a few observations. In the first place, as to what had passed on Friday last he was not in the House at the time when his hon. friend had made the statement. Having been absent at that period, he could not bear testimony, of his own knowledge to the fact; but it appeared evident to him that his hon. friend's accuracy was completely established. He was led to that opinion partly by the confidence which he felt in the accuracy of his hon. friend. He was further confirmed in the opinion by the testimony of his hon. friends who had just delivered their sentiments, as well as by the candid admission of the hon. secretary himself. What the hon. secretary now contended for was, that his hon. friend had gone wrong to the amount of 11,000,000*l.* As anecdotes were in vogue, he might be permitted to tell what he had heard on entering the House. He was told that an attempt had been made to prove an inaccuracy in the

calculations of his hon. friend. On asking to what amount, he was told to the amount of 11,000,000*l*. His answer to that was, what it should be now, that the 11,000,000*l*. proved too much. Notwithstanding the complicated manner in which the accounts were kept, an error to the amount of 11,000,000*l*. was, he considered, absolutely impossible. The subject, in fact, did not deserve inquiry; but they had inquired, and what turned out to be the fact? One said,—"I never meant to confine the eleven millions to the building of ships," and the other said "you did mean it." His hon. friend had enumerated various other items which he meant to include; and his first reason for believing him was the admission of his sincerity, made by the hon. secretary himself. The mere virtue of sincerity was but a slender compliment to a calculator; but the admission was of great importance in the present case, where so much must depend on the confidence to which he was entitled. Another reason which weighed with him was, that he (Mr. B.) then held in his hand the very document on which his hon. friend had made his statement. In that document those items were to be found which his hon. friend had enumerated. The only other point was with respect to time. The hon. secretary had stated, that his hon. friend meant to take only five years into account; but his hon. friend had said that he meant to take seven years. That he also believed; for the same paper stated the items to be taken from 1815 to 1821. Since he came into the House he had read a newspaper report [Order, order!.] He believed he was not in order; but in a certain document, which he would not name for the world, a published paper, a portion of recent history, certainly within the reach of his majesty's ministers, he saw a thing very like a speech in parliament, though he knew that it could not have been such; and if he were to hazard a comparison, he would say that one part was very like a speech from the hon. member for Aberdeen; and that a speech of the hon. secretary (Mr. Croker) was shadowed out in the other [A laugh.] In that document that the period extended not to five, but to seven years. That this was not done out of friendship for his hon. friend, would appear from what he found in another part of the same document—he meant an article beginning thus:—"Poor Mr. Hume! Such a beating as he received on Friday last! If he survives this, he must be immortal." This statement confirmed the doctrines that he had maintained with regard to his hon. friend, and put the stamp on that confidence which he always entertained for his honesty in stating facts, and his accuracy in making calculations. [Loud Cheering.] Now regarding as true the anecdote which had been stated by the hon. secretary, and confirmed by the hon. baronet with respect to his hon. friend's anticipated mistake about the 600,000*l*. an anecdote for which there needed no such parade of proof—his confidence in his hon. friend's accuracy remained, even on that point undiminished. If, after the testimony of his two hon. friends (Mr. Bernal and sir H. Parnell), who had examined into the accounts, with a perfect recollection of what had happened on Friday, confirmed as that testimony was by his hon. friend the member for Portarlington, some of whose doctrines were in vogue with the hon. gentlemen opposite when they suited their purposes, who took one of his opinions when they could not get his speech, and who drew references from his speech when they could not get his vote; but who, on the present occasion, would repudiate opinion and speech, and vote altogether; if, after this, his hon. friend was still in error, what did it amount to? What was the difference between his hon. friend and the hon. secretary, the champion of the navy estimates—the two calculators now at issue—what did it amount to but this—that there was such bungling in the public accounts, such contradiction in their statements, such confusion, that the same account was spoken of differently in the index and the body of the estimates? Then the hon. secretary accused his hon. friend for not employing pen and ink work—a neglect which, if it had occurred this time, he was sure would be the last time at which such a charge would be warranted. Even if the error had occurred, it was not the fault of his hon. friend, but of the blundering manner in which the public accounts were kept, and acts of appropriation drawn up. If he could allow (for the sake of argument) that in the multiplicity of his labours his hon. friend had committed this mistake—if in those labours, important to all, he had overlooked this mistake—if, dealing with large sums and momentous interests, he had commited a slight error—if going on from day to day and night to night, wearing

out himself in the public service—(he hoped his wear and tear would not be too rapid)—if in this course he had mistaken one part of a statement for another, his confidence in him would remain the same; and he hoped on his (Mr. B's.) return, about a month hence, to find him in the same place, saving the money of the public, performing with useful zeal his parliamentary duties, commanding the willing homage of the House, increasing his reputation in the country, securing the attachment of his friends, and extorting respect even from his opponents. [Loud Cheering.] When he heard that his hon. friend was put upon his trial for the accuracy of his calculations—when he heard that ever since Friday last, although the verdict was not given, his ministerial opponents had declared that the evidence was against him—when he heard that there were two points upon which he had moved for a new trial—when he heard all this, he could not but come forward to show how groundless the charges against him were. The friends of ministers and the persons in office had begun too early to take joy to themselves at his defeat. They were heard to declare—"Here is Mr. Such-a-one, who canvassed our accounts, he has been defeated in his calculations—there is an end of him." Then they anticipated the return of those halcyon days, when their estimates remained without examination or exposure, when any hon. member who chose to dispute a ministerial item, heard in reply only the words "Jacobin, leveller, Buonapartists, anarchy, social order, basis of society," and other such jargon. They predicted the ruin of his hon. friend's character for accuracy, and declared that no trust could any longer be placed in him. He (Mr. B.), on the contrary, declared that his accuracy remained unimpeached, that he relied on him with unabated confidence. But his calculations were no matter of confidence. If he were wrong, government had the means of exposing his calculations. He succeeded, if he did succeed at all, not, he would say, *propria marte*, but by the strength of his position, and the force of his statements; and if he committed an error, there were a sufficient number of persons on the watch to detect him; the detection and the exposure would be proclaimed in that House, and echoed by all the servile adherents of ministers. He would continue to his hon. friend his full reliance; because he had never yet found him fail in what he had undertaken to establish—because on this occasion, when his accuracy was especially impeached, he had signally triumphed. And he hoped he would go on with the same persevering zeal for the public good, careless of the taunts of those who profited by abuses, forgetful of the neglect shown to his labours by the gentlemen opposite, thinking only of his country, dreaming only of his duty, and, great as his services were to that country, still laying up additional claims to its gratitude. [Loud Cheers.]

The Marquis of *Londonderry* said, that the hon. and learned gentleman must have conceived the hon. member for Aberdeen in great danger to have been induced to enter into such a defence. His hon. friend, the secretary of the Admiralty, he was sure would view him with great compassion, when he found that he had so disabled him as to render necessary the aid of the hon. and learned gentleman who had undertaken his cause. The hon. secretary had, indeed, thrown great dismay and alarm into the enemy's camp—he had set all Brooks's in an uproar, and they had found it necessary to send down the hon. and learned gentleman, who had spent much gunpowder in the defence. Terror seemed to reign among them since the hon. secretary had overthrown the calculations of their champion. He did not precisely see the cause for the alarm which the friends of the hon. gentleman entertained. They seemed to consider that he never could show his face again—that he would no more receive the freedom of boroughs or cities, and that he must surrender all his cider and golden snuff-boxes, if he was not proved to be right in his late calculations, and placed on his legs, after the hon. secretary had thrown him on his back. But his friends did not seem to see that if they established his figures, it was at the expense of his argument. His reasoning and calculations were opposed to each other; and his friends must take the option of admitting that he could not conduct a common argument to any intelligible conclusion, or form a common calculation with any tolerable correctness. Let the gentlemen opposite, then, take which of the two characters they choose for their hon. friend—either that of a calculator or a logician; but they could not have both. To show that he was now accurate in his figures, his friends resorted to a speech made two or three years ago. His hon.

friend had shown, that the line of argument pursued by the hon. gentleman led him to take 5,300,000*l.* instead of 5,900,000*l.* If, then, his calculation was right, his argument was good for nothing; for it went to show that the estimates of 1817 were lower than those of the present year. If the hon. gentlemen opposite were satisfied with the figures or the reasoning, he (lord L.) and his friends would be satisfied with what they left; so that both would be satisfied. But he thought the House had passed the evening in a very unprofitable discussion. It would have been better to have entered on some question with which the general interests of the country were connected, than to have been trying the arithmetical accuracy of any hon. member. If, however, the character of the hon. gentleman was to be decided by the result of this debate, which he (lord L.) saw no reason for thinking, the discussion would be more fatal than he was willing to apprehend.

Mr. *W. Smith* recollected that when the hon. member for Aberdeen first began that course of conduct which he had pursued with so much success, every possible attempt, short of absolute insult, was made, to deter him from proceeding. Sarcasm and imputation of every sort were directed against him. He was described to be a person who knew nothing about official matters, and was not to be trusted on a point of calculation. Before the end of the session, however, those very individuals who had treated the hon. member in this manner came to him cap in hand, and proffered him every assistance in furtherance of his designs. What was the cause of this change of sentiment with regard to the hon. member? It was, that the country had decided the question in his favour. In every quarter of the kingdom the services of the hon. member had been acknowledged to be most meritorious. The hon. member was, in his opinion, the encyclopædia of finance — [a laugh.] — Before the conclusion of the present session, the opposition which his hon. friend, the member for Aberdeen, experienced would die away, and those gentlemen who now endeavoured to throw obstacles in his way would be willing to aid his exertions.

The House then divided: for Mr. Hume's Amendment, 78; Against it, 129.

List of the Minority.

Althorp, viscount	Maberly, W. L.
Bernard, visct.	Marjoribanks, S.
Barrett, S. M.	Macdonald, J.
Bennet, hon. H. G.	Martin, J.
Benyon, Benjamin	Normanby, visct.
Bernal, R.	Newman, W.
Birch, Joseph	Nugent, lord
Brougham, Henry	O'Callaghan, J.
Bright, H.	Parnell, sir H.
Bury, visct.	Palmer, C. F.
Boughey, sir J. F.	Pares, T.
Calvert, C.	Powlett, hon. W.
Calcraft, J.	Price, Robert
Cavendish, lord G.	Pym, F.
Caulfield, hon. H.	Ricardo, D.
Colborne, N. R.	Ridley, sir M. W.
Concannon, Lucius	Robarts, A. W.
Crespigny, sir W. De	Robarts, col. G.
Creevey, Thos.	Robinson, sir G.
Davies, T. H.	Rumbold, Ch.
Denison, W. J.	Rice, T. S.
Duncannon, visct.	Stanley, lord
Dundas, hon. T.	Sefton, earl of
Ebrington, visct.	Scott, James
Ellice, Ed.	Sykes, D.
Fergusson, sir R.	Stuart, lord J.
Fitzgerald, lord W.	Taylor, M. A.
Guise, sir W.	Tierney, rt. hon. G.
Graham, S.	Tennyson, C.
Honywood, W. P.	Townshend, lord C.
Haldimand, W.	Webb, Ed.
Hill, lord A.	Whitbread, S.
Hobhouse, J. C.	Wilkins, W.
James, W.	Williams, W.
Johnson, col.	Wilson, sir Robert
Jervoise, G. P.	Wyvill, M.
Leycester, R.	Whitmore, W. W.
Lambton, J. G.	TELLERS.
Lennard, T. B.	Hume, Joseph
Lloyd, sir E.	Smith, W.
Maberly, J.	

HOUSE OF COMMONS.

Thursday, February 28.

Scotch Burghs.] The *Lord Advocate* rose for leave to bring in a bill founded on certain reports on the table of the House, as to the state of the Royal Burghs. A difference of opinion, he knew, prevailed as to the remedies most adequate to meet the abuses specified in these reports. A great object would be gained by securing the fullest publicity, and compelling the residence of the magistrates; and, he would therefore move, "That leave be given to bring in a bill, for regulating the mode of accounting for the common good, and revenues of the Royal Burghs of Scotland, and to prevent the non-residence of magistrates

of Royal Burghs, and to restrain undue compacts regarding Burgh Elections."

Lord *A. Hamilton* expressed his astonishment, that after the labours of three committees, and the full detail of multiplied abuses which their reports exhibited, a lord advocate should, in bringing such a subject before parliament, limit himself merely to a simple motion for leave to bring in a bill. He had expected, that when the learned lord refused to allow him to originate a remedial measure, it was his intention to take a full view of the question, and put the House in possession of that view. What was his surprise to find him, after all that expectation, merely making a motion of course? Was it to be endured, after so much investigation and labour, that such a bill should be proposed for a remedy to grievances so numerous and complicated? He must be allowed to tell the learned lord, that in proposing a measure so inadequate, he had both neglected his own duty, and prevented other members from discharging theirs. He was extremely sorry that the whole system of abuse that pervaded the burghs of Scotland was so little understood in that House. Sure he was, that if they existed in England, and if English members had themselves such a case as he felt he could make out for Scotland, these intolerable grievances would be at once redressed.

Leave was given to bring in the bill.

Knightsbridge Barracks — Complaint of an Outrage on Mr. Sheriff Waithman.] Mr. Alderman *Wood* said, he rose to submit a motion to that House, founded on a petition which he had the honour to present on the 8th instant from the corporation of London (see p. 159.) In the observations which he had to make preparatory to his motion, he should confine himself strictly to facts, and the merits of the case, as grounded solely upon them. The petition related to the occurrences which had taken place at Knightsbridge, and the attack on Mr. Sheriff Waithman, on the 26th of last August, and was founded on a report drawn up by a committee of the common council, who had taken evidence on the subject, and given it a patient and impartial investigation. The committee was not one selected from any particular class of persons; but was a committee of general purposes, and consisted of persons of different political opinions, some of whom were known to maintain principles of which those who affected most loyalty must approve. The petitioners, grounding their statements upon the report of this committee, now called on the House to know, whether those who served the high office of sheriffs of the county, when called out to preserve the peace, should sit down quietly without redress after a wanton and violent attack on their persons? In consequence of its being known, that the funerals of the unfortunate men who had lost their lives on the 14th of August, would be public, the government thought it right to send a notice to that effect to the lord mayor, who was called upon to provide for the preservation of the peace. Nay, the government went farther, they sent a notice, signed by one of the Treasury solicitors, to a respectable tradesman living in his ward, who was connected with the proceedings, informing him that steps had been taken to prevent the funeral from passing through the park. But not a word of all this was said, no notice was sent to the sheriff, who had the peace of the county intrusted to his care, and of course the government must have been aware that the funeral would take place in Middlesex. The sheriff, however, without any such intimation, knowing what was his duty, prepared every means in his power by which disturbance might be prevented. He knew that there existed an ill feeling between the people and soldiers, arising out of the circumstances under which the two persons had met their death; and understanding it was intended that the funeral should pass by the barracks at Knightsbridge, he used every means in his power to prevent it, if possible. With that view, he sent a letter to some of the newspapers, in which, after alluding to the intended route of the funeral, he strongly deprecated such a measure, and expressed a hope that the public would refrain from attending it. He could do no more; and the fact itself was a full answer to the charge, that he wished to disturb the peace. No man under the same circumstances could have done more to preserve it. When he found that the funeral was to pass by the barracks, he gave orders to the officers under him to have an attendance of constables, to be in readiness to take into custody all who should be found breaking the peace; and in order to carry this into effect, he himself, accompanied by his under sheriff (his colleague in office was

at the time in Brighton), proceeded to the neighbourhood of the barracks. He remained there without interfering in any way, until information reached him, that a brick-bat was thrown amongst the people from over the barrack wall. This produced some hissing on the part of the crowd; but on the sheriff entreating them to be quiet, order was restored. The procession passed the barracks; and on the return of a great portion of the people from Hammersmith, the sheriff learned, that a riot had occurred between some of the soldiers, and the people at the barrack gate. On hearing this, he returned to the gate, where he found the soldiers engaged with the people, some of the soldiers with sticks, some with their fists, and some with drawn swords. Some of the soldiers wore their uniforms, and others were in undress. The sheriff did all in his power to restore tranquillity, and at length succeeded, by insisting on the soldiers retiring within their barracks, which they did. After waiting for some time, and every thing appearing quiet, he again went towards town, when he was overtaken near Hyde-park-corner by a person, who informed him that the soldiers and the people were again contending. He rode back, and found a great disturbance. Again he endeavoured to restore order, and exhorted the people to go away; but, while thus engaged, some of the soldiers endeavoured to shove his horse off the path-way into the road, and one man was seen to load his carbine, and present it in the direction in which the sheriff was; and in the opinion of several witnesses, if the soldier had fired, the shot would have struck him.—He had thus given a brief outline of the transaction as detailed in the evidence. Now, during the whole time of these occurrences, the conduct of the sheriff was most cool and peaceable. This was borne out by the evidence of all the witnesses. That of Mr. Derbishire, the gentleman who reported the case for the "Morning Post," was quite in favour of the sheriff. It was true, that in a part of his evidence he said that the sheriff at one time used some irritating expression towards the soldiers; but, in the course of the examination, he said he would not be positive that the sheriff had used such expression. The sheriff had, as was his duty, endeavoured to check the soldiers. Mr. Derbishire said, that the conduct of some of them was fair and manly: he supposed he alluded to those who used only their fists in the quarrel; but in allusion to those who had swords, he stated that he had never seen any thing so violent in his life. This was fully confirmed by the evidence of all the witnesses who were examined. And here he should remark, that the witnesses examined were not selected. There was not one of them who was in any way mixed up with the proceedings on the inquest of Honey. They were for the most part persons who had been present in the discharge of their duty. Among these was Mr. Mortimer, who was along with Mr. Waithman the whole day, acting as his under sheriff. His statement was most clear in favour of the sheriff, whose conduct he described as most praiseworthy. This was further confirmed by the sheriff's officers who could have no interest in saying what was not the fact. Then the gentlemen who attended for the daily press could not be said to have any interest in making the case otherwise than it really appeared. In the evidence of those gentlemen, particularly in that of Mr. Tyas and Mr. Woods, the case was strongly made out in favour of the sheriff's conduct.—But it would perhaps be said, that the sheriff had no business there. He, on the contrary, would contend that it was his duty to be present. What would have been said if he had not attended? They would have heard comments on the man, who, it would have been added, had made himself so busy on the inquest, but was absent on an occasion when it was likely that a disturbance would take place. Indeed, it was made a subject of a sort of reprimand in the letter of lord Bathurst, that the sheriff was not present at the subsequent part of the evening, when the riot act was read. It had ever been considered the duty of the sheriff to attend on those occasions where the public peace was likely to be disturbed. He recollected, in the year 1810, when an hon. baronet was committed to the tower, the right hon. gentleman who then filled the chair of the House required the attendance of the sheriffs of London, and he (alderman Wood) and his colleague in office were in attendance, endeavouring to preserve the peace, from morning until a late hour at night, and were also similarly engaged on the return of the hon. baronet from confinement. If he had not so attended, he would have failed in the discharge of his duty. He maintained it would have

been an omission of his duty, if the sheriff had refrained from attending on the late occasion. But what was the conduct of government after this transaction? Lord Bathurst, in one of his letters to sheriff Waithman, promised that an inquiry would be speedily made into it. Had that promise been fulfilled? No inquiry had ever since been made by government: at least none had transpired. What, then, was the duty of the corporation? The common council, finding that a wanton outrage had been committed on their officer, and that no inquiry was made into it by government, instituted an inquiry themselves. The result was, that the conduct of the sheriff appeared, throughout the transaction, most praiseworthy, whilst that of the soldiers was proved to have been most violent. They had acted like men who were under no control. Under all the circumstances, he thought there was a strong ground for inquiry, and, therefore, he would move that the petition be referred to a committee. It was evident that the government had neglected its duty, in not having a magistrate present during the whole of the day. The hon. member concluded by moving, "That a Select Committee be appointed, to inquire into the facts stated in the petition from the Corporation of the City of London, complaining of an Outrage committed on the person of Mr. Sheriff Waithman, on the 26th of August last, whilst in the exercise of his official duty for the preservation of the Public Peace."

Sir *W. Curtis* rose to second the motion. He also was anxious that the petition should be considered by a committee, but for reasons different from those urged by his hon. colleague. In the first place, he would say, that the sheriff had no authority to act on the occasion in question, and it would have been much better for him to have remained at home. [Hear.] The office of sheriff of Middlesex, was vested in the two gentlemen who were chosen sheriffs of London, and the authority could not be exercised by one alone. Mr. Sheriff Waithman himself, was not therefore, justified in acting by himself. He was anxious that a committee should investigate this question; but it was because he wished to let the world know the real character of this great common council, who were always meddling with matters with which they had nothing to do, and which were far above their wisdom and energy. [Hear.] It was from such a principle, that they had engaged in the recent inquiry, which he would contend they had no right to enter upon. It was said, that evidence was not selected by this committee. Now, he maintained the contrary. Not only was evidence selected, but questions were put, to draw such answers as the party putting them desired. Of this there were abundant proofs in the evidence annexed to their report. He trusted that if a committee were appointed, those gentlemen of the common council might receive such a hint as to their conduct as they deserved, and as would teach them how they acted so again. He begged the attention of the House to one extract which he should read, just to show the kind of evidence which had been received, and how well qualified the common council were for such an inquiry. A man named Thomas Oliff was thus examined by this committee:—"Where do you live? At No. 90, Fore-street.—What are you? I superintend the business for Mr. Smith, the corn-chandler.—You were at Knightsbridge at the time the affray happened with the soldiers and the populace? No, I was not there.—Then what do you know about it? I got a note to attend here. All that I know was, that I was in company with a friend of mine, on the Monday or Tuesday evening, and he said that he had been into the shop of a person of the name of Crabb, and heard a man named Properjohn, or his man, tell Mr. Crabb, that he heard a corporal of the life guardsmen say, "damn Alderman Waithman, we are prepared for him, and have got a ball ready for him."—Let the committee be appointed, and they would see a great deal more of the folly of this great common council. But though for that purpose he seconded the motion, it would be for hon. members to consider whether it would be worth while to consume any of the time of the House in exposing such nonsense. [Hear, and a laugh.]

Colonel *Lygon* said, that he had witnessed the transactions of the 26th of August, and had attended to the complaint made in the petition. He would, therefore, in the few words he had to offer, confine himself entirely to the statements there made. Knowing that such a procession was to pass by the barracks on that day, he had, on dismissing the parade in the morning, given orders that the gates should be closed, and that the men should keep within the barracks, and not

even appear at the windows. The soldiers attended divine service that day as usual. There was, during great part of the forenoon, a large collection of persons in the neighbourhood of the barracks, waiting for the approach of the funeral. It did pass, but nothing particular occurred in its way down. As to the story of a brick having been thrown over the barrack-wall amongst the people, he had made the most anxious inquiries on the subject, as well amongst the troops as from the persons residing opposite the gates, and the result was his firm conviction, that the statement was altogether without foundation. He also assured the House, that he had never received any message from the sheriff during that day; and to those who knew him it would not be necessary to add, that if he had, he would not have sent such an answer, as that which it was said was delivered to the sheriff. [Hear, hear.] He had never been out of the barracks the whole of that day; he dined there on Saturday, the 25th, and did not leave them till Monday, the 27th. In the course of the day, a great number of well-dressed persons were walking in the neighbourhood of the barracks, as was usual on sundays; and some time after the funeral had passed, he ordered the gates to be opened for their accommodation to pass through. He pledged his honour, that his only object in ordering the opening of the gates was for the convenience of the people. [Hear, hear.] After the gates were thus opened, he sent an officer to take his station in the road to let him know when the procession returned, that he might again order the gates to be closed, and the men to be recalled. This was about half-past three. Soon after four, or between that and five o'clock, an attack was made by the populace with stones, by which 282 windows were broken in the barracks, though at the time there was a line of constables wedged in front of them, whose duty it was to arrest any person who should disturb the peace. At six o'clock the cries of "murder" were heard by the soldiers within the gates, and it was said by some one, "they are killing our men." It was soon ascertained, that the people were beating a trumpeter and farrier of the regiment, who were outside. Those of the men who were nearest the gate, seized whatever weapons first presented themselves to their hands, and rushed out to the rescue of their comrades; but, so far from making a wanton attack on the people, he could declare that he never saw men act with greater forbearance, considering the circumstances in which they were placed. Immediately after this, he came to the gate, and commanded the men to return to their barracks. This command they instantly obeyed, and it would not be doing them justice, if he did not say, that their conduct was marked by the most implicit obedience, and the greatest forbearance. After the return of the men, the riot and disorder continued from the people without; and at length, finding no interference of the civil power, he sent for a magistrate, (sir N. Conant,) by whom the riot act was read; soon after which the people dispersed. He did not know what the House would do with the motion: for his own part, he could have no objection to it, being fully satisfied that the more the matter was inquired into, the more the good temper and forbearance of the troops would be made evident. [Cheers.]

The House was about to divide, when, after a pause of some seconds,

Mr. *Hobhouse* rose. He stated, that after the plain and sensible address which had been just delivered by the gallant colonel, he should be one of the last persons in the world, who would attempt to remove any part of the impression which he had made, if he were not imperatively called upon, by some things which had been said by him and the seconder of the motion; but he was more particularly called upon to make a few remarks, on account of the transaction having taken place in a part of the precincts of the city which he had the honour to represent. He would be unworthy of the place he held, if he were not ready to offer to the House such observations as the merits of the case required, in regard to what had fallen from the worthy Alderman, and the gallant Colonel. It did appear to him, that on no occasion did the House shew any reluctance, or feel any difficulty, in entering upon inquiry, when the demand came from his majesty's ministers. In the instance of Manchester, the government, on anonymous evidence, got a select committee appointed, and on that anonymous evidence, enacted laws which abridged the liberties of the subject. On repeated occasions, when the public functionaries demanded inquiry on any evidence whatever, the demand had never been resisted, and surely they could not, as members

of the House of Commons, be justified, if in this case, which so materially affected the rights of the country, and when so respectable a body as the citizens of London came forward as complainants, they should refuse to institute any inquiry. He had heard nothing in what had fallen from the gallant colonel or the worthy alderman which shewed that the inquiry ought not to be granted. The gallant colonel had stated, that 282 windows were broken in the barracks. Considering the affray that took place, such an occurrence was by no means improbable; but, was it therefore to be tolerated, that because those windows were broken, the sheriff, who had exerted himself to preserve order, should be insulted and his life put in danger? Was it, therefore, to be tolerated, that almost in the heart of the metropolis, the weapons of war should be raised by the soldiery against the citizens of England? Some mischief, indeed, might be expected from these inland fortresses which, in defence of our once free constitution, were now placed as a check upon the liberties of the country. But this was an outrage scarcely to be looked for, even from such a cause. Was it an argument, that because windows had been broken, no inquiry should take place into an outrage against the person of the sheriff, who was entrusted with the guardianship of the peace of the county, and was there exercising his authority like one worthy of so great a trust? Nothing had yet been stated that falsified the material allegations of the petition. It might be said, that those allegations were not on oath. That was true; but, whose fault was it? Government had not thought proper to institute any inquiry into the subject. Why had not lord Bathurst, who, when he acted for the Home Secretary of State, pledged himself that an investigation should take place, redeemed that pledge? There had been no reason whatever assigned, why there had been no inquiry. The evidence that had been given before the common council was no such laughing matter as the worthy alderman wished to represent it to be. The worthy alderman had endeavoured, with all that good humour and jocularity which he usually displayed, to ridicule that evidence, and the mode in which the witnesses had been examined. It was not surprising, that persons unaccustomed to the examination of witnesses, should not have been aware, that it was necessary to stop a witness, as soon as he had declared that he was not present on the occasion respecting which he was under examination. So far was that evidence from exhibiting any thing like unfairness, that it appeared to him to show the utmost fairness, no attempt having been made to suppress any part of it, however ill calculated, to make a good appearance upon paper. It was certainly true, that the general tendency of the evidence was, to shew, that stones had been thrown by the people at the barracks; but it had also been as clearly shown, that stones had been thrown from the barracks against the people. This had been stated most distinctly. One witness declared, that it was impossible for him to say, whether stones were thrown first from the barracks or by the people, for he saw them as soon from the one as from the other quarter. Another witness stated, that he saw the stones flying in all directions from both parties. This was the evidence of persons wholly unbiassed. It was not the evidence of individuals connected with newspapers, who might be supposed to have a tendency towards popular feelings. It was the evidence of several persons rather inclined towards the opposite sentiments. Of those individuals, one of them, the reporter for "the Morning Post," used an expression with respect to the soldiers which he (Mr. H.) certainly would not use with respect to them because he did not think it justifiable. That individual had declared, that the soldiers behaved "in a cowardly manner;" a character which, in his opinion, could never belong to an English soldier. This, however, he would say, that even admitting for argument's sake, that there had been provocation on both sides, the country had a right to expect more temper and forbearance from disciplined soldiers than from the people. Even though the people had been so misled as to throw stones and break the barrack windows, did that justify the soldiers in forcing their way from the barracks with arms in their hands and attacking the people [hear, hear!]? It was worse than foolish and idle to contend, that the first recourse of the soldier must always be to arms, a fatal necessity might justify such an appeal; but it was both cruel and cowardly, not to say unconstitutional, to hold a doctrine under which no man's life could be safe, as long as a standing army was allowed to exist. No doubt the hon.

colonel did his utmost to prevent the contest, and so, by every account, did Mr. Sheriff Waithman. He was quite astonished when he heard the worthy alderman ask, what business the sheriff of London and Middlesex had to be there? He was not deeply read in law; but it certainly struck him, that a sheriff of London and Middlesex could not properly absent himself on such an occasion, because he could not prevail on his brother sheriff to attend with him. On the contrary, when one sheriff declined to do his duty, it was the more incumbent on the other to do his. It, undoubtedly, astonished him to hear a representative of the city of London talk as the worthy alderman had done of the sheriff of London and Middlesex. The worthy alderman certainly knew the duties of a sheriff better than he did; but if the House would allow him to read a passage from that so frequently quoted author, Blackstone, they would hear a very different description of a sheriff's duties and dignity. The passage was as follows:—"The sheriff, as the keeper of the king's peace, both by common law and special commission, is the first man in the county, and superior in rank to any man therein during his office; he may apprehend and commit to prison all persons who break the peace, or attempt to break it, and may bind any one in a recognizance to keep the king's peace; he may, and is bound, *ex-officio*, to pursue and take all traitors, murderers, felons, and other misdoers, and commit them to gaol for safe custody; he is also to defend his country against any of the king's enemies when they come into the land; and for this purpose, as well as for keeping the peace and pursuing felons, he may command all the people of his county to attend him, which is called the *posse comitatus*, or power of the county; and this summons every person above fifteen years old and under the degree of a peer, is bound to attend upon warning, under pain of fine and imprisonment." It appeared by this quotation, that the sheriff was bound to maintain the peace. Mr. Sheriff Waithman had a right not only to command the soldiers to keep the peace, but if they failed in doing so to follow them into the barracks, to levy the *posse comitatus*, and follow the soldiers, taking the people with him, and to secure every soldier, who, in violation of his orders, continued to break the peace. He defied any gentleman to contradict him in this assertion. It was true, that one of the evidences examined had conceived that the original breach of the peace did not commence with the soldiery; but, let it begin where it might, the law allows the sheriff to be the best judge of this point, and to act instantly upon his own discretion. All that Mr. Sheriff Waithman did, was what his duty forced him to do, and if he had not done it, he would have subjected himself to the censure of the Crown, and that House. He was surprised to hear the worthy alderman treat with ridicule the common council of that city of which he was an alderman and a representative. The common council of London was formerly a most important body; and if all the members of it resembled Mr. Alderman Waithman or the worthy alderman who had made the present motion, it would be so still. At the time of the revolution, the common council of London were thought worthy to represent the people of England. About 70, or he believed 72, of them sat in that House as part of the body which transferred the Crown from James II. and gave it to a more worthy sovereign. The common council of London had formerly made the predecessors of the noble lord and the right hon. gentleman opposite shake in their seats; and if better times should arise, he trusted the common council would imitate the example of their predecessors [a laugh]. He must again say, that this was a question which ought not to be put off with a laugh. It was much more important than the worthy alderman seemed to think: it vitally concerned the constitution. An outrage, or at least an alleged outrage, had been committed by the military on the first officer of the county, the preserver of the king's peace; and the subject was treated by the worthy alderman as if it did not deserve inquiry. The worthy alderman did not treat the matter with a hundredth part the attention that he would bestow on a sealed green bag brought down by his majesty's ministers. The interest of the question went further than its immediate relations. They had daily proofs of the wish entertained by ministers to turn the government of this country into a military government. This had been so often said and so often taunted, it was such a thrice-told tale, that he was almost ashamed to repeat it; but it was not the less true. This he would add, that if the House of Commons suffered such an out-

rage to be perpetrated upon their constituents without enquiry, they would prepare the way for the accomplishment of their own degradation and ruin. There was, somehow or other, a strong inclination in that House to receive with respect every thing that proceeded from the public functionaries or the military; but when the opinions of the common council of London, or any body of the people were mentioned, they were received with a laugh. He recollected, that when the subject of her late majesty's funeral was before the House a noble lord, a member of that House, and an officer of the regiment of life guards (lord Uxbridge), said, that he knew a whole set of persons who were ready to perjure themselves on the subject, the instant the phrase fell from the noble lord's lips it was met with a loud cheer. Now, did hon. gentlemen consider what they cheered? Did they consider that they cheered the assertion, that a number of their fellow creatures were ready to commit the infamous crime of perjury? If true, it was a subject not of cheering or congratulation, but of lamentation and regret. He had not the least doubt that the noble lord believed what he stated to be true; but, still, he would take the liberty of asking him, how he could know that those persons were ready to perjure themselves? The noble lord might have heard that they were so; but how could he know it? And when the term "perjury" was used, he put it to the House whether there was not a great distinction to be made between malicious perjury and that description of perjury which took place when any one swore to that which he thought was a fact, but which actually was not so?—The noble lord said, that there was a set of persons ready to swear that he was present on the occasion alluded to, when he was not so. He (Mr. H.) had been there himself; he had seen two or three of the officers; and although he was so near as to be able to speak to them, yet the similarity of dress, the badness of the weather, and the state in which the troops were, concurred to render it almost impossible to distinguish one from another. It was almost too much, therefore, for the noble lord to say he knew a set of men who were ready to perjure themselves, because they thought he was present when he was not. Perjury was not a word to apply to such an act. The noble lord had shown a little more zeal on the occasion than was quite prudent; although he (Mr. H.) could allow a great deal for the *esprit du corps*. If the noble lord, however, was not to be blamed for that, neither ought he (Mr. H.) to be blamed for his earnestness in behalf of the people. He certainly thought that the people of England had a right to know whether or not, as barracks were maintained in the heart of the metropolis, and soldiers kept in those barracks, they were to cut the throats of the people [cries of hear, hear!]? He desired the House to recollect that he did not say this had been done; but it might be done; and the House should be alive to the slightest suspicion on such a question. It was necessary that the people should know what purpose the soldiers were kept for. He did not say that all the allegations respecting the conduct of the troops were true. But of this he was certain, that when these "fortresses" existed in the heart of the metropolis, and when so many persons deposed that the troops had issued from one of these fortresses with arms in their hands and attacked the people, he thought the country had a right to know if the soldiers were henceforward to be employed or tolerated in such wanton attacks. All that he demanded was inquiry. In the answer which lord Bathurst returned to Mr. Sheriff Waithman's letter, he appeared to consider himself so superior to his correspondent, that instead of regarding the sheriff as the first man in the county, he could not have treated him worse had he been the last and lowest; for he had hinted, and that pretty broadly, that the worthy sheriff had said what was not true. But he had, notwithstanding, promised an inquiry. All he asked of the right hon. gentleman was, whether any such inquiry had been made? If it had, why not communicate the result? If it had not the House had a right to draw the inference, that what appeared to be the fact on the first blush of the affair actually was so; namely, that a gross and wanton outrage had been perpetrated on the preserver of the king's peace. A pledge had been given, that the matter would be investigated. He now called upon the right hon. secretary either to redeem that pledge, or to state his reasons for coming to a contrary determination.

Mr. Secretary *Peel* said, that in the vote which he intended to give that night, and in the view which he intended to take of the

question, he should be guided solely by those general principles, which ought to be considered as valid in all arguments for instituting inquiry. He should commence his observations by assuring the worthy alderman opposite, that a desire to criminate Mr. Sheriff Waithman had never entered his mind, and that he was not urged by any feelings of ill will to that individual to give a negative to the proposition for inquiry. He must also assure his hon. and gallant friend, (col. Lygon), that he fully entered into his feelings, and comprehended the reasons why he was anxious to have an inquiry instituted into the conduct of the regiment to which he belonged; but at the same time he could not admit that those feelings would justify him in permitting an inquiry to be made. Still less could he admit that a legitimate ground for inquiry was laid by his hon. friend, the alderman near him, who had wished it to be made in order that the common council of London might be exposed to general censure and ridicule. The ground upon which he should form his decision would be this—had there been any grounds stated in the speech of the hon. mover, or contained in the documents then in the possession of the House, which would justify it in departing from its ordinary course, and instituting an extra-judicial inquiry. That there were allegations of outrage in the letters of alderman Waithman, and in the petition which had been presented by the corporation of London, he was ready to admit; but when he looked at the evidence upon which these allegations rested, he was bound to state his opinion, that it by no means bore them out. An inquiry had been instituted by earl Bathurst into the whole transaction, and had been instituted on oath. He should not, however, refer to the depositions which had been so collected; but, arguing solely from that evidence which the common council had collected, he should endeavour to transfer into their minds the conviction which existed in his own, that it was insufficient to prove the accusations which had been founded upon it. An hon. member had said, "Give us an inquiry because an outrage has been committed." On the contrary, he said, "No outrage had been committed, and therefore he could not consent to grant inquiry." The worthy alderman near him had anticipated one objection which he had intended to raise against the evidence admitted by the committee. It was the testimony given by Mr. Oliff, to which he had alluded. After stating that he had not been at Knightsbridge, he added, "All that I know was, that I was in company with a friend of mine on Monday or Tuesday evening, and he said that he had been into the shop of a person of the name of Crabb, and heard a man of the name of Properjohn, or his man, tell Mr. Crabb that he heard a corporal of the life guardsmen say, "Damn alderman Waithman, we are prepared for him, and have got a ball ready for him." The next question put to him was, "Do you know the man? Where does Properjohn live?" To which he made answer, "At Knightsbridge—he is a butcher." Now he wished to be informed why, as the residence of Properjohn and his man was known, they were not summoned to give their evidence upon that particular point. They could have stated whether such language as "Damn alderman Waithman, we have got a ball ready for him," had or had not been used; and surely it was the duty of those who conducted that examination to have called Properjohn, or Popplejohn, or whatever his uncouth name might be, to give evidence before them regarding such atrocious language.—The House would be able to judge of the general character of the evidence from the specimen which he had just submitted to it. He would now call upon them to consider how far that general evidence supported the particular charges founded upon it. It was almost unnecessary for him to mention to the House, that on the day of the Queen's funeral two men lost their lives at Cumberland-gate; that their bodies were afterwards buried at Hammersmith, and that the funeral procession passed by Knightsbridge barracks. He could not help regretting, that after it was determined to select Hammersmith church for the place of burial for those two unfortunate individuals, those who possessed influence over the parties intending to join the procession had not exercised it in persuading them not to select the road passing the barracks of the soldiers who had caused the deaths in question, as the road by which they would proceed to Hammersmith—a parish with which neither of the deceased had any connexion whatsoever. Now, the first allegation in Mr. Waithman's letter was, "that the funeral passed the barracks in an orderly

and quiet manner, marked by no other peculiar circumstance than that of a brick being thrown from the barracks, which fell near my horse, and wounded, as I am informed, a young girl." Now, really, before Mr. Waithman had given publicity to the statement, that so wanton an act had been committed, he ought to have ascertained two distinct points; first, that a brick had been thrown from the barracks; and secondly, that it had wounded a young girl. He would admit that if a brickbat had been thrown from the barracks into the crowd, as the funeral procession was passing, it would have been, if not a justification, at least a palliation, of the insults which before the close of the day the mob took occasion to offer to the soldiery. On looking, however, to the evidence, he could not find any proof whatsoever of that allegation. In the letter of Mr. Mortimer, which it had been stated could not be shaken in any of its details, he found the following statement:—"The only provocation given to tumults on the passage of the funeral *to* Hammersmith, was occasioned by a brickbat being thrown, as it was said, from the barracks at Knightsbridge, by the individual who produced it to you, and who appeared to be cut by the same." Now he would ask, was that individual the girl who, it was said; was wounded? He found not the slightest proof of it in any part of the evidence. A woman, however, was wounded in the course of the day; but under what circumstances? Why, on the *return* of the procession from Hammersmith. There were evident attempts made by some members of the committee of the common council to prove that this woman was the girl that was said to be wounded. Mrs. Brooks is called to give evidence regarding this woman, and among the questions asked her, the following formed a part:—"Is she a married woman?—She is a widow. Was she a small sized woman?—About the size that I am: she is rather slight." —Now, could the House believe it?—so eager was the committee to prove this woman to have been the young girl mentioned in Mr. Waithman's letter, that though the witness had stated that the woman was a widow, they asked, "Is she a girl?" And the answer they received was, "No; she is as old as I am." The unfortunate woman herself was afterwards called, and her evidence was decisive that she was not the person alluded to in Mr. Waithman's letter. She was asked, "Were you at the barracks before the funeral passed by? to which she replied, "I was; I went by with it." She was then asked to describe how she got the blow under which she suffered. She replied, that she had got it as she was going towards the Park gate. Before he came to the next question, he thought it necessary to observe, that the conflict was going on at that time, on both sides of her. Now the next question was—"It struck you behind?—Yes. Therefore you could not see where it came from?—No. Which way was your face?—Coming up towards Oxford-street; they did say that that came over the barrack wall, but I did not see that myself. Did you hear the people about you say that at the time?—Yes. Were you in that position that it might come from the barrack wall? —Yes, it might come from the barrack-wall, for I was not very far from it at the time. I did not see the stone, though it must have been a large one." Upon this evidence he felt himself justified in stating, that this first allegation of Mr. Waithman was not proved. The next specific statement in Mr. Waithman's letter was, that a soldier had loaded a carbine and directed it at him; but that a constable on seeing the circumstance had knocked the carbine down. Now, such an allegation was an allegation of great importance; for if it could be proved, that the man had directed his carbine against Mr. Waithman, and had it knocked down whilst it was so directed, the moral guilt of that man's conduct was not much less than it would have been had he actually fired at Mr. Waithman. But, after reading every part of the evidence with great attention, he could not help concluding that, whether the man in question acted with propriety or not, he had not his carbine in the direction which Mr. Waithman stated. He should think that the evidence of the constable who had knocked down the carbine was the best that could be offered upon such a point; and here he must say that that officer, who spoke decidedly upon the conciliatory conduct of Mr. Waithman, during the whole day, could not be considered to have given his evidence with any bias against that gentleman. Now what did Levi say—"I perceived a man standing on the bank with a carbine in his hand: when first I came to him, he held it in this manner (describing it); and just as

I got up, he was levelling it in this manner (describing it). I had a staff in one hand, and a stick in the other. I ran up to him right at the muzzle of the piece; I struck him, and hit him over the hand, and down the piece went, and I catched hold of it. I then laid hold of him, and said, 'You villain, has there not been bloodshed sufficient, without your spilling more?' and I had the piece I think in my left hand, and he had hold of the butt of it; he said my life is in danger—and I said, go in, and I will protect you; and I believe I did go with him into the barracks." He was then asked the following questions, to which he called the particular attention of the House—"What was your idea of his pointing, was it that he was singling out the sheriff?—I cannot say that. I was so irritated with seeing him with the piece, and the people squalling on the opposite side; but he had it in different directions—"Was it in that position that it appeared to be presented at sheriff Waithman?" If I were upon my oath, I could not state that. A short time afterwards, the same witness was asked, "Did you imagine at the time you saw the soldier that he was looking at or for any one in order to shoot him?"—to which his reply was as follows: "My impression was, that he might have picked out any person that he pleased, because he stood in that elevated situation; if I wanted to shoot a person directly opposite to me, I should not elevate my piece, but this was held up in this manner (describing it.)" The evidence which he had just read to House was, he trusted, quite sufficient to shew that these allegations were not such as could be safely relied on. There was only another specific statement in Mr. Waithman's letter that was of any importance, and he would give it to the House in Mr. Waithman's own words—"I could not obtain an interview with any of the officers of the regiment; and when I desired some of the constables to represent to the officers in the most respectful terms my desire that the soldiers should be kept within the barracks, the message returned was, that the sheriff might be damned—they would not make their men prisoners for him." Now, if such a message had been returned, he would admit that it would have been a most shameful answer; but his gallant friend the member for Worcestershire, had declared that he had not returned any such message, and had totally denied the use of any such language. Now, he could not help remarking, that it did not appear from this evidence that Mr. Waithman had sent any message at all into the barracks. Levi, the officer who had delivered it, had stated that "he carried it of his own accord—that he saw danger, and that he had therefore said it." He was then asked, "What did you consider gave you authority to go to the barracks and see the officer, and give Mr. Alderman Waithman's request?" And again he replied, "because I saw danger would occur from what was going on." Now, though this testimony proved that this request was made to some officers in the barracks, it did not prove Mr. Waithman's allegation, that it had been made by his specific order.—He had now disposed of all the specific allegations, and had shown, he trusted, to the satisfaction of the House, that they were not borne out by the evidence on which they were founded. Against general and sweeping charges, he could not expect to make so decisively victorious a defence. For instance, he could only give a general denial to such an accusation as this—that the sheriff of the county had been left to defend the people against the merciless outrages of an infuriated and armed soldiery, unaided by any means save the constitutional ones in his own power. It was likewise stated, that "the gates had been unexpectedly thrown open, and that the soldiers had rushed out armed with swords, carbines, and sticks, and attacked the people most furiously without distinction of age or sex." That would have been a most atrocious fact if it had been true; but he would appeal to the House whether such a circumstance could have taken place without more mischief having accrued to the people than actually did accrue; or indeed without a general massacre having been committed. Against that allegation, however, he should oppose the fact, that only one single case of casualty on that day had been reported to the Middlesex Hospital—a fact, into the accuracy of which he had himself taken the trouble to inquire. In the whole evidence collected, he saw not a syllable about any wound inflicted by sword or carbine. In one case, a question was put to a witness about a wounded man, and it turned out that the wounded man was a soldier. There might be cases of wounds with which he and the public were unacquainted; but, if there were, it proved that none of them could have been very serious. He must now, therefore, express

a hope that no case had been made out which could warrant the House in instituting an inquiry. If the evidence were so satisfactory as was stated on the other side, there was no reason why some criminal prosecution or indictment should not have been instituted by the sheriff against the military; and yet he had not heard that any legal measures had been adopted by Mr. Waithman against the life guards to obtain satisfaction. When he heard it stated, that positive orders had been given to the soldiery not to quit their barracks—when he learned that 282 of their windows had been broken by the populace—and when he was also told, that a number of constables were ranged among the crowd to seize on every person that attempted to disturb the peace, he could not conceal his surprise that not a single individual had been apprehended. He was free to admit, that the evidence then before the House went a long way to prove that the general conduct of Mr. Waithman had been most pacific and conciliatory; but still he could not help saying, that after the active part which Mr. Waithman had taken at one of the inquests, he ought to have formed this conclusion, that his presence before Knightsbridge-barracks on the day of the funeral could not tend in any great degree to the keeping of the peace. There were, he was very ready to admit, strong expressions often uttered in the heat of particular moments, on which it would be wrong to lay too much stress; but he must say, that Mr. Sheriff Waithman did not stand entirely acquitted, in his mind, of imprudence in the manner in which he had conducted himself on the day of the funeral. He found that the sheriff took an opportunity, when the populace were vehement, and apparently ill-disposed to moderation, to address them in words certainly, to say the least of them, imprudent. What other character could he give the sheriff's address, not to hiss the soldiers, "for the best way to annoy the troops was to remain quiet?" Did such expressions become a man intrusted with the high office of sheriff, and acting under such circumstances? They were surely very indiscreet, if not highly improper. When he considered the whole of the circumstances which had occurred at the time—the cry within the barracks among the soldiers, that two of their comrades were overpowered by the mob without—he was not much surprised to find that a few soldiers rushed out to rescue their companions from a situation of danger. He regretted that any act of violence had been committed: but he repeated, that he could not feel surprise at the rush out of a party of soldiers, with whatever weapons they could lay their hands upon at the moment, and that when they supposed their comrades in danger, they did not show that regard to the peace of the public which they otherwise would have evinced. When also he considered, that one of the life-guardsmen was struck by Mr. Sheriff Waithman, and offered no violence in return, he must own that the conscientious conviction of his mind, formed not on the evidence taken before the secretary of state, but on that given elsewhere, was, that the soldiers had behaved with as much forbearance as could have been expected from them under all the circumstances of the case, and that there existed no shadow of a ground for the proposed inquiry.

Mr. *Denman* contrasted the conciliatory tone adopted by the right hon. secretary with that of a worthy alderman who had spoken previously in the debate. Astonished, indeed, he was at the conduct of the worthy alderman, who had attacked, in the most unprecedented way, the corporate body to which he himself belonged. Surely if the worthy alderman did not approve of the course which the committee of his corporation were pursuing in this investigation, he ought to have attended and interposed during their proceedings. But that he, a member of their body, should have abstained from interfering when he could have interfered with effect, and afterwards come down to that House to deride the proceedings of his own corporation, to throw dirt, as it were upon the report of those who sent him here; was a good reason why his constituents should not give him another opportunity to impeach their character, and was to merit something like indignation for such a line of conduct. With reference to what had fallen from the right hon. secretary, he could not help observing, as a singular fact, that although the right hon. gentleman professed to found his observations upon the evidence taken in London, he nevertheless constantly referred to other evidence which appeared to have been taken before lord Bathurst; and alluded to the rushing out of a few soldiers from their barracks, in consequence of a rumour of a supposed outrage upon some of their body outside. Was that fact to be found in the evidence

on the table? Certainly not. It rested altogether on the authority of the gallant officer opposite (colonel Lygon.) From this it was obvious that the right hon. gentleman had formed his opinions upon other evidence than that known to the House: but how much of his conviction was formed from that extraneous evidence, or how much from the statement of the gallant officer, it was quite impossible to ascertain. From the statement of the gallant officer, nobody would be led to imagine that Mr. Sheriff Waithman was on the spot at all. He said, that he received no message from the sheriff, nor sent any uncivil reply. That he sent no such message he was quite convinced; but whether any such message was returned from any other quarter, they were left entirely in the dark. In the statement of the hon. and gallant officer, a period of several hours was filled up by a few data, explanatory of his desire to keep order among his soldiers, and of the remarkable forbearance of the men. He must say, from what he had heard that night, that he never knew, in the course of his experience, any evidence treated more unfairly than this had been by the gentlemen who had spoken opposite. Nobody pressed the statements of the witnesses as legally conclusive evidence ripe for final decision: it was, on the contrary, before them more in the nature of the minutes of inquiry taken before a magistrate than as clearly ascertained facts. It was a mere inquiry to see what was the general outline of the case, to hear what had been dropped in the way of information by individuals, without forming any ultimate decision upon the bearings of the evidence itself: for he admitted, that parts of it were susceptible of the interpretation which different gentlemen seemed disposed to put upon it, and that very circumstance showed the fairness with which the evidence had been sought for and collected. What did the conduct of the corporation prove? —that they wanted information, and endeavoured to obtain it through all the requisite channels; and that, after conducting the inquiry as well as they were able, they laid the details before the House, not to prove a case of delinquency against the soldiers, but to lay the ground for an ulterior and more solemn inquiry. All they had done was, to show a *prima facie* case, that the military power had attempted to act in opposition to the civil power; that the latter had been ill treated by the military, and prevented from doing its duty on a particular occasion. The worthy alderman opposite had laid down for them a piece of law, which would be extremely convenient for future rioters, for he had told them, that as the two sheriffs of London only constituted one for Middlesex, neither could act alone as sheriff out of the precincts of London. See the consequence of such a doctrine, and how successfully it might be used for the purposes of rioters! Suppose (as indeed was the case here) that a riot occurred while one of the sheriffs was at Brighton, or that one of them was at a turtle feast, or confined to his bed by indisposition, what then was to be done in the event of a riot? Was the other sheriff to repair to the spot? No; according to the hon. alderman's law, there would be no use in his going, he being but half a sheriff. But it was idle to dwell on that proposition; indeed, it had been properly answered by the right hon. secretary, who admitted the proper motive which had dictated the attendance of the worthy sheriff on the occasion alluded to. The statement made by Mr. Sheriff Waithman to lord Bathurst, on the morning after the occurrence loudly called for inquiry. In the letter transmitting that statement, Mr. Sheriff Waithman drew a general picture of what had happened; he stated the facts according to his own observation of their occurrence; he sought inquiry, he offered his assistance in that inquiry; he requested to be present at such investigation as lord Bathurst should institute. His assistance or attendance was never, however, required, and the answer he received from the noble secretary of state was certainly not very encouraging. The allegations of the worthy sheriff were, as far as the House knew, perfectly uncontradicted. The right hon. gentleman had commented upon the statement of the worthy sheriff, respecting the throwing of a brickbat. But after all, to what did that amount? The expressions of the worthy sheriff were, "A brickbat was thrown from the barracks, it fell near my horse, and struck as I was informed, a young girl." Now, in this statement there were three points, two of which must be best known to the worthy sheriff himself, namely, the direction from which he saw the brickbat thrown, and its falling near his horse; as to its having struck a young girl, that, he says, he was only informed of. The last part might be erroneous, and the two

former be still untouched. But it was said that the person struck was not a child, but a widow woman, Mrs. Dalton; and that she was struck, not while going with the funeral, but on her return. Now he could not find this in the evidence: her statement was this:—"Were you at the barracks before the funeral went by? I was, I went by with it.—Did any thing happen at that time? Not as the funeral was going on; nothing that I could observe; but a soldier shook his fist up at a window, and one of the men halloed out some outrageous word, such as 'You 'coward, stay there,' or something of that kind. There was a gentleman that requested silence on horseback. I was a good way from the gentleman at the time. —You received a blow? Yes, I did. I was cut between the two shoulders."—There was not a word here about the time when this happened. The fact of her stating that she went by the barracks at the time of the funeral did not necessarily imply that she had afterwards gone on the whole way with it, and then encountered the injury, long afterwards, when she returned. She might have turned round immediately on coming opposite the barracks. Mr. Sheriff Waithman said, at the time, he heard that the brickbat had struck a girl. Well, what was the fact? It struck a woman. Mrs. Dalton stated that fact, and yet, because she was a widow woman, instead of a young girl, although it was admitted that the military power had obstructed the civil, upon such a contradiction as that, there was, it seemed, to be no inquiry into so flagrant an occurrence. He must contend that the worthy sheriff's statement, instead of being contradicted, was in all its material parts, confirmed by the other evidence.—Besides Mrs. Dalton, there was the testimony of Mr. Charles Coote, which he would read to the House.—"Did you see a brick thrown in amongst the multitude on that day? I saw a brick thrown from behind the barrack wall on that day.—About what time? About half past 2 o'clock, as nearly as I can guess.—Was the procession going by? Just the head of the procession; it went in amongst some females close against the lamp-post, on the causeway; the brick was picked up, and Mr. Sheriff Waithman appeared to be coming away, and it was shown to Mr. Sheriff Waithman and the people.—Did you see it shown? I saw the people have it in their hands; they showed it to him.—Did it hurt any body? I cannot say whether it hurt any body by falling, there was such a quantity of people by at the time; but I heard afterwards that it did hurt a person."—After reading this evidence how could the right hon. secretary declare there had been no case made out to justify this motion? It was, he thought, impossible to look at the evidence without seeing that a material case was made out to call for inquiry. In endeavouring to maintain the contrary, the right hon. gentleman had overlooked the most important parts of the evidence: he had, indeed, admitted that the worthy sheriff's conduct appeared to have been most conciliatory; he had admitted that he could have had no other object in attending than to preserve the public peace. With regard to the general character of the evidence, (he Mr. D.) would declare, that the testimony of the constables was in the highest degree creditable to them; they all spoke and (such was the character of the evidence generally) with that circumspection which became men anxious to speak the truth. He must complain of the selection of page 33 as characteristic of the whole evidence: it was not a fair sample of the witness's statement; and to quote it, as it had been quoted, was merely to take one part of what had been deposed, when it could be made to suit a particular object, and overlook the general character and substance of the examination.—In reference to what had been said of the worthy sheriff's conduct before the coroner, he could not see how it applied to the present case. At the funeral Mr. Sheriff Waithman was acting, in the discharge of his duty as a conservator of the public peace, and was entitled to the support of the law while so acting. That he had great influence with the people, on this particular occasion, was quite clear; and it was equally manifest that he had exercised it in the most laudable manner, and with the most salutary effect. It was said, that though much tumult prevailed, the sheriff had taken no rioter into custody. Was it easy, in such a multitude, and in the confusion prevailing at the time, to have marked out any particular individual? And, unless he could have been so marked out, where was the use of making the arrest? Then, it was added, "but there has been no prosecution of any of the soldiery; why not have commenced proceedings against some of them, if their conduct was such as had

been described?" Upon that allusion, he should only say, that, after what they saw of the treatment of witnesses before the coroner, who went to the barracks to identify the soldiers, it would have been difficult indeed to have induced individuals to have exposed themselves to such treatment. It was no great impeachment of the validity of the evidence, that persons were not pressing forward to undertake the identity of the soldiers. But why did not lord Bathurst undertake such a prosecution? Why did he not order the prosecution of the rioters who were represented as having broken open the barrack-gates? One individual only had been brought to trial at the sessions, and he was acquitted. It should, however, be recollected, that the period to which the case of the latter referred was subsequent to the attack upon the sheriff, who had left the spot before the hour when the last act of violence was said to have been committed. What really was the case which the House was called upon to consider? Here was a sheriff going on a public occasion for the purpose of preserving the peace, as he was bound to do by law, and in the heat of the moment, and while employed in the discharge of his duty, by his moderation and firmness, restraining soldiers and officers from doing that, in the ferment of supposed provocation, which when done, under whatever circumstances, must afterwards give the greatest pain to men of honourable and gallant minds. For acting so, the worthy sheriff has been exposed to wanton attack, and denied inquiry. What a singular contrast did the conduct of his majesty's ministers present on recent occasions affecting the safety of the people? Here was the case of Mr. Waithman, and the uncourteous disregard of his complaint by lord Bathurst. There was the treatment of his hon. and gallant friend, sir Robert Wilson, who had, on the day of her majesty's funeral, by his humanity and presence of mind, saved a great deal of wanton bloodshed. There was the dismissal of sir Robert Baker, for most judiciously, most humanely, and most lawfully, as a magistrate acting upon his responsibility, not heading a public procession as an undertaker, but attending in his official capacity to see that the public peace was duly preserved, sir Robert Baker on that occasion saved the lives of the king's subjects, by taking the route which he ordered on that melancholy day, yet for it his majesty's ministers had put him also upon their proscribed list. Compare the treatment of these meritorious public officers with that observed towards the Manchester magistrates, and done, too, without inquiry, without reference, without explanation. Thanks were given and rewards extended to those who slaughtered the people in their own vicinage, as if they were enemies of their country, and opponents who entered it from a foreign land. The magistrates who were said to have directed that unhappy slaughter were favoured, and those by whose interference slaughter was prevented, who interposed, not to bring the military into conflict with the people, but to prevent such an unhappy confusion, were to be put down, in the first instance without inquiry, and to be afterwards met with a flat refusal to inquire in every step which they took to establish their own vindication. And this was to be done to maintain the integrity of the magistrates, and the reputation of the military! He had heard, with great pain, what had been said respecting the evidence taken before the coroner whose duty it was to conduct the painful investigation. Something had been said of the reports of that evidence, and upon that point he should only say, that if the reports of some of their own committees were given to the public with the same inveterate accuracy, he feared, they would not, perhaps be found to cut a better figure. But let it not be said, that the proceedings of the coroner were founded upon perjured evidence, because a noble lord had said the persons were ready to give evidence, that he, though 200 miles distant at the time, was on the spot when the firing took place. It was most unfortunate that the sheriff, when so acting as Mr. Waithman had done, should be rebuked as he had been, and his statement rejected without inquiry, and that when magistrates acted violently against the people they should be honoured, and their reports confided in without inquiry. That was not the conduct which became his majesty's ministers. It was due to the feelings of the people and to the integrity of the constitution to protect the civil power in the exercise of its proper jurisdiction; it was more particularly due to them, for the purpose of showing that ministers were ready to perform a duty, which lately they had not evinced any striking anxiety to perform for the country.

Mr. *Peel* explained. The hon. and

learned gentleman had stated, that he admitted the conciliatory conduct of Mr. Waithman. Now, what he had said was, that upon the evidence which Mr. Waithman had brought forward, it did appear that his conduct was conciliatory. He expressed no opinion of his own.

Mr. *Denman* understood that the right hon. gentleman had founded all his opinions upon the evidence.

Mr. *Peel*. All my arguments, not my opinions.

Mr. *G. Bankes* said, that he differed entirely with the hon. and learned gentleman, who had declared that the conduct of Mr. Sheriff Waithman before the coroner had nothing to do with the present case. Now, he thought quite the reverse, and that nothing could be more proper than to look at the sheriff's conduct upon the inquest, which was certainly most improper, if not illegal. Was it proper that the same person, who had just before been acting the part of a public prosecutor of the life guards, should voluntarily tender his interposition to the same life guards, as a mediator to keep the peace between them and their aggressors? He would not go so far as to say with the hon. alderman, that one of the sheriffs of London was only half of the sheriff of Middlesex, but he would say, that Mr. Sheriff Waithman was exactly the half that should not have been at Knightsbridge on this particular occasion. The hon. gentleman then, with reference to Mr. Waithman's conduct at the inquest, quoted Blackstone's observation, that it had been determined by the great charter, that the sheriff should not hold pleas of the Crown, for it was he who summoned the jury, and who had to execute the law. If the law, then, prevented such an officer, on account of his functions, from being a judge, *a fortiori*, it must be improper for him to appear as a public prosecutor, and in the court of his own deputy; for the coroner, in one sense, might be so considered, as he took his oaths before the sheriff. The honourable member then quoted Mr. Waithman's admission, that he appeared at the inquest on the part of the relatives of the deceased, and to conduct the prosecution, and expressed his disapprobation at the comments made upon the testimony of some of the witnesses by the sheriff, when attending the inquest. He had lately looked back to the files of "The Times" newspaper upon this subject, and he there found that the sheriff had, in several instances, given flat contradictions to the coroner. Upon one occasion the sheriff said, "The witness does not say so." The coroner put the question a second time, and the answer fully justified his original conception of it. Mr. Waithman then said "This witness is swearing to a negative;" upon which a juror turned round and said—"You surely do not mean to impugn the evidence of the witness." For the reasons which he had stated, he felt compelled to differ from the hon. members near him, and he was the more induced to do so from a reflection, that only twelve days before that funeral, a gross scene of riot and disturbance had taken place; the streets had been torn up, and the funeral of the late queen obstructed; and yet this same sheriff, the conservator of the public peace, though present in the procession, never interfered to restore tranquillity. Then, indeed, the sheriff not only might, but ought to have raised the *posse comitatus*. If the sheriff had mustered his officers to remove the obstacles which had been thrown in the way of the funeral on that day, he might have preserved the tranquillity of that metropolis which, as sheriff, he was bound to watch over. He was sure that if sheriff Waithman had consulted any other man in the kingdom, he would have been told that he was the last person who ought to make his appearance at the funeral on the 26th August. The hon. member, alluding to what took place at the coroner's inquest, expressed a hope that he should never again see the proceedings of such a tribunal published day by day, or at all given to the public until a verdict was returned. In other courts, a discretionary power was exercised to prevent premature publication; and he saw no reason why that power should not be exercised in this instance also. In fact, such publications were nothing more than *ex parte* statements, which were calculated to prejudice the public mind, and produce much evil without doing any good. He could not, viewing the entire transaction, but look on the conduct of Mr. Sheriff Waithman with feelings of horror and disgust. [Cheers.]

Mr. *Bennet* rose, he said, principally with a view to defend the conduct of his hon. friend, Mr. Sheriff Waithman, from the aspersions so unjustly cast upon it by the hon. gentleman who had just sat

down. The hon. gentleman had been pleased to say, that he viewed the conduct of Mr. Sheriff Waithman with feelings of horror and disgust; and that censure, so unqualified, appeared to have been approved of by several gentlemen on the other side of the House. He would refer the hon. gentleman to the conduct of the right hon. secretary, who with good taste, and with still better feeling, did not express, either by word, by manner, or by gesture, any thing derogatory to the character or injurious to the feelings of Mr. Sheriff Waithman. The hon. gentleman had said, that Mr. Waithman, by attending the funeral of her majesty, had disqualified himself from attending the funeral of Honey. Now he (Mr. Bennet) had no hesitation to say, that he performed his duty to the country in attending the funeral procession of Honey and Francis. He would let the House judge of his conduct by its fruits. Did not the interference of the sheriff, his activity, his courage, and his discretion, preserve the peace of that day, and prevent the effusion of blood. He would appeal for the truth of the observation to the account of every impartial person—to any account. He would even take the testimony which had been furnished to the home department; because he was convinced that every account, if fairly examined, would show that he had taken every pains to preserve the public peace, and that his exertions had been eminently successful. To him the country was indebted for the peace of that day—to him was justly due the praise of having prevented a tumult, the consequences of which might have been calamitous. He would now ask the House, what was the situation in which the government stood with reference to that transaction? To them it must have been clear that the public peace was endangered; that, considering the irritated state of the people, and the resentment of the soldiery, a collision, hostile and bloody, was likely to take place. He did not say that it was in the power of government to control the passions of the people or of the soldiery; but could they not have prevented the irritated parties from meeting? Could they not have marched the troops out of town for that day [a laugh from the ministerial side?] He was not surprised that those who wished to govern by the sword, should ridicule the observation he had just made. Those who would govern by force, and not by moderation —who would intimidate, instead of conciliating the people—might look upon the observation he had made as unworthy of attention; but he was sure that, in other and better times, the course which he had pointed out would have been adopted. But the course of proceeding was now different. Government seemed regardless of public opinion, and were satisfied to carry their measures by force alone. He would now make one or two observations on what had fallen from the right hon. secretary. That gentleman had attempted to throw a slur over the evidence; and had read some passages as if to show that the soldiers, who were armed, were provoked by the people, who were all unarmed. Without adverting to the objections which had been taken to the passages in question, he would say, that, looking at the whole of this evidence, the statement of Mr. Sheriff Waithman, as contained in his letter to the secretary of state, was borne out in every particular. Among the witnesses he observed one name, which must be familiar to the recollection of many members in that House —he meant Mr. John Tyas, a gentleman who was a reporter to the newspaper called "The Times." He must here beg leave to observe, that the evidence of a reporter was, in all cases of public interest, of the utmost importance; it was so, upon all principles of evidence. Because it was evident, as to reporters, that correct information it was peculiarly their business to be possessed of—it was their stock in trade. They were accustomed, by habit and experience, to watch narrowly, to report faithfully, and to describe correctly. Mr. Tyas, if he recollected rightly, was the same individual who gave that very exact and faithful account of the Manchester meeting (an account that never had been shaken), and whose conduct, on that memorable occasion, was one of the most remarkable instances of presence of mind, of correct deportment, and of acute observation, that ever was put upon record. This gentleman, in one part of his evidence, made this important statement:—"I saw a soldier at the gate strike his cartridge-box, take out a cartridge, bite it, prime his piece, put something into the piece, and I saw his arm raised, from which I conceived he was ramming it down; but somebody intervened, and I cannot whether he rammed it down." And

he went on to say "I have not the least doubt in my own mind, that the piece was primed and loaded: at the very time that these men were rushing at Mr. Waithman, in the middle of the street, I saw this man, with a carbine on his shoulder, and moving it about as if to get an aim at Mr. Waithman, and I conceive (this is only matter of opinion,) but my opinion was, that if he could have fired at Mr. Waithman without hitting one of his comrades, he would have fired." Now, he did not mean to say that this was decisive evidence. It was not sworn to even; and this person himself was not cross-examined. But hon. gentlemen were not sitting there in judgment; the prayer was only for inquiry. Yet he would observe that this evidence was such, that even in a court of justice, where a party might be tried for his life, it would be very difficult to get over it. This evidence was corroborated, also, by that of very many other witnesses; and as to the carbine, he could not help thinking that the statement contained in Mr. Waithman's letter was amply borne out by the mass of testimony which he held in his hand. If so, surely there could not be a more fit subject for inquiry. He did think that the House must agree to listen to such grave complaints, made on behalf of no less a person than the high sheriff of Middlesex. But if it would not, it was at least not proper for gentlemen to sit there, and cheer every sentence that was made in defence of the soldiery, whatever it might be. If they should reject the consideration of this case altogether, they would soon arrive at results far different from those establishments of liberty and law which their ancestors had bequeathed to them. He did not mean to contend, upon the whole of this evidence, that this or that particular charge was true; but he contended, that where such allegations were brought forward, it was not becoming the House to close its doors upon the complainants. They must bear in mind that the body so complaining was no less a one than the lord mayor, sheriffs, and common council of the City of London. The letter of the worthy sheriff was amply borne out by the evidence of others. He had observed before, that every thing was cheered which happened to be said in favour of the soldiers. God knows, no person was ever more disposed to applaud the conduct of the excellent corps which had been mentioned in the course of the evening, than he was! In earlier periods of his life, and on the occasion of similar differences between them and the people, he had had opportunities of witnessing the excellent manner in which they discharged their difficult duties, and of admiring their moderation and forbearance. If the present motion had no other object but the mere setting right of the characters and demeanour of the soldiery who were assembled on this occasion, he would give it his support; but seeing that its object was of a much higher nature, and connected with an inquiry into circumstances under which the person and character of the high sheriff had been attacked, he could adopt no other course than to support by his vote the proposition which had been made.

Mr. *W. Lamb* said, that he could not support the motion, because, when he saw the limited means of investigation which the House possessed, he was always exceedingly reluctant to go into parliamentary inquiry. The hon. member for Westminster had said, that the House was always ready to go into the inquiries proposed by ministers, but to reject such as were suggested from the other side. Now, it was unfair that such a statement should be made without acknowledging the fact, that the inquiries proposed by the government were generally of an entirely different nature from those which were recommended from other quarters, and more suited to the means of investigation which the House possessed. It had lately been a practice to deprecate any assertion that there were evil-minded persons in the country who aimed to disturb its peace. On the first day of the session, the hon. member who so ably seconded the address, was rebuked for making some observations of that nature. Now, he would ask, what were the motives of the persons who got up the funeral of the men which led to the disturbances at Knightsbridge, and who paid the expenses and took the management of the procession? What possible motive could they have had, but that of adding to the excitation of the people, and taking advantage of the acts which they might thereby induce them to commit. There was one word which he was sorry to hear very often abused in that House. Upon the present occasion the hon. member for Westminster and the learned member for Nottingham had spoken of the persons engaged in these proc[illegible]

as "the people." They said that if the enquiry were not gone into, there would be no regard paid to the people, and that the people would not have justice. Now, he (Mr. Lamb) stood up there to interpose in behalf of the people, against this implication. It was not the people of England who had committed the outrages upon the occasion in question. From his own personal observation, he was enabled to state, that amongst the crowd who attended the procession, the greatest number of those present were duly impressed with the solemnity of the scene, and appeared to be peaceful and respectable persons. But at the same time he saw that there were attendant upon the crowd many whose object, either from want, or profligacy of character, was that of creating disorder and riot for their own advantage. These were the persons who did create the outrage which ensued; and it was not therefore justifiable in any member to describe that outrage as the act of the people, and to throw over it that shield of protection which the name of "the people" afforded. Unless breaches of the law in the metropolis were discountenanced firmly and steadily in that House—and if they were to be attributed to the people, and that protection afforded to them which the name of "the people" carried with it, they would sooner or later find that the consequence would be violence and bloodshed, either from the success of the turbulent, or the resistance necessary to be opposed to them by the military.—[Loud cheering.]

Mr. *Hobhouse* explained. He considered that, through the lord mayor and common councilmen of London the people were the petitioners; and that, in the person of their high sheriff, the people had been insulted.

Mr. *Butterworth* thought it was not until they were obliged to protect their own lives, that the soldiers had interfered; and that Mr. Waithman, as sheriff of the county, had acted in a manner highly criminal in not interposing his authority at Cumberland-gate on the day of the queen's funeral. On the occasion of the queen's funeral, Mr. Waithman's brother sheriff wrote to him, to ask whether it was his intention to attend it on the day appointed. Mr. Waithman returned no definitive answer to Mr. Sheriff Williams, until a period so immediately preceding the funeral, that he knew his letter could not reach the sheriff in time. It was to this effect:—"Although I shall not attend her majesty's funeral in my corporate capacity, I mean to attend as sheriff of the county, and to be at Hyde Park-corner at half-past seven o'clock in the morning." As Mr. Waithman must have known and anticipated, this letter reached Mr. Williams too late, and he did not go. The hon. gentleman concluded with a solemn appeal to the House, to reject the proposition submitted to it. He thought his majesty's government fully justified in prohibiting the queen's funeral from passing through the city, after the corporation had disgraced themselves by attending a public thanksgiving in St. Paul's, upon such an occasion as that for which they had gone to it.

Mr. *Hume* said, that the hon. member for Dover protested against inquiry, and yet commenced his speech by a general attack upon almost every body concerned in this transaction, in the spirit (perhaps the House would be told) of Christian charity. But his appealing in the solemn manner he had just done, was an insult to religion. The sacred cause of religion was profaned by men, who with that word in their mouths, had any thing but religion in their hearts. He rose to express his abhorrence of such conduct. With regard to the panegyrics which the hon. gentleman had lavished on the soldiers, it was the opinion of those who had witnessed the transactions of the day, that what took place at Knightsbridge was not to be connected with any thing that had occurred at Hammersmith. The time would shortly come, when the occurrences at Cumberland-gate must be made matter of discussion. But it was most unfair to mix up two transactions in the way the hon. gentleman had done; one of them had nothing to do with the other, and it was, on the hon. gentleman's part, only an attempt to throw dirt into the eyes of the House. As to the letter which the hon. gentleman had read, whether it was or was not a true letter, of this he could assure the House, that the worthy alderman did, in fact, attend the queen's funeral, but only as a private man. He appealed to the House whether, if a great corporation came forward to lay their complaints before parliament, it was not just and expedient that inquiry should take place. The appeal which had been made by the hon. member for Dover possessed any thing but justice in its principle.

Mr. Alderman *Wood* rose to reply. He was not a little surprised to find the hon. baronet make so unqualified an attack upon the corporation of London; nor was he less surprised to find his majesty's ministers treat the corporation with so much disregard. It was not long since those ministers had dined with the corporation; and on one occasion a gallant general had been entertained by them at an expense of not less than 25,000*l.* [a laugh.] The worthy alderman quoted Dalton, 662, to shew that the sheriff as well as the coroner, might inquire into murders. He remarked, that the hon. member for Dover had adverted solely to the day of the Queen's funeral, which had nothing to do with the occurrences at Knightsbridge. As to the allegation, that the sheriff had neglected his duty on the day of the queen's funeral, that officer attended there solely as a private individual, and had no power whatever, as the force in attendance was under the command of a military officer.

The House divided: Ayes, 56; Noes, 184.

List of the Minority.

Allen, J. H.	Leonard, T. B.
Brougham, H.	Martin, J.
Benyon, B.	Maberly, J.
Barrett, S. M.	Ossulston, lord
Bernal, R.	Ord, W.
Beaumont, T. P.	Osborne, lord F.
Crespigny, sir W. De	Phillips, G.
Concannon, L.	Phillips, G. R.
Curtis, sir W.	Pares, T.
Chaloner, R.	Price, R.
Carter, J.	Robinson, sir G.
Denman, T.	Ricardo, D.
Davies, T. H.	Smith, J.
Duncannon, visc.	Smith, W.
Dundas, hon. T.	Smith, C.
Ebrington, visc.	Sefton, lord
Folkestone, visc.	Scott, J.
Guise, sir W.	Scudamore, R.
Graham, S.	Thompson, W.
Hamilton, lord A.	Tennyson, C.
Hume, J.	Tierney, right hon. G.
Hobhouse, J. C.	Wilson, sir R.
Honeywood, W. P.	Whitbread, W. H.
Howard, hon. W.	Wyvill, M.
James, W.	Williams, W.
Lambton, J. G.	Williams, T. P.
Leycester, R.	Webbe, E.
Lushington, S.	TELLERS.
Lemon, sir W.	Bennet, hon. G.
Lloyd, sir E.	Wood, ald.

Salt Tax.] Mr. *Calcraft* said, that after the discussion which had so long occupied the House, it was his duty to bring before the House a question of dull detail, but of great importance, the repeal of the duties on salt. He had long considered the question, and had it much at heart; and, if it took the turn which he hoped, it would be most beneficial to a very large part of the community. It might be recollected that in 1817, when he had moved the question for the first time, he went so far as to press on the consideration of the House, the propriety of appointing a committee to consider the effect of the salt tax. That motion he had lost by a small majority of 9. In 1818, he renewed his motion, and a committee was granted, and that committee came to a resolution, "that the repeal of the salt duties would be productive of the greatest and most important advantages to all descriptions of persons in this kingdom; and that the present state of the income and expenditure of the united kingdom alone prevents your committee from instructing their chairman to move for leave to bring in a bill for such total repeal." On the 1st of June 1818, this and other resolutions were reported to the House; and it became him now to account for the course he had thought advisable to pursue, in abstaining from 1818 to 1822 to move the repeal of those duties, on which that committee had so strongly expressed its opinion. It had been pressed exceedingly upon him to do so, in 1819, but he had not thought that the income and expenditure of the kingdom could warrant him in moving for the repeal of the duties. The same reason had influenced him in 1820 and 1821, and it was not till the present year that he had thought it advisable so far to relax taxation, that he could earnestly press on the House the reduction of this impost. He would explain how he now intended to set about it. He should conclude with a motion for the gradual reduction of the duties on salt; he begged the House to remark that he sought only a gradual reduction. As the House had been pleased to sanction a sinking fund, a vote in which he fully concurred, he was bound not to propose any measure that could materially interfere with that project. He had therefore refrained from proposing the sweeping away of this duty at once; and if his suggestion were adopted, it would be an annual reduction of this duty: it was now 15*s.* per bushel, and his proposition was, that it should be abo-

lished at the rate of 5s. a year, until the whole was extinct. He trusted that his measure would be thought as mild, as reasonable, and as gradual as any of those who agreed with him in the obnoxiousness and weight of this tax could expect. He would now state a few particulars relating to the tax itself. Like many others, it began at first in the reign of William and Mary, only as a temporary impost of three halfpence per gallon. Five years afterwards it was doubled; and in the reign of George the 2nd, it was made perpetual at the rate of 8*d*. per gallon, or 5*s*. per bushel. It was not until the 38th of the late king that the duty was raised to 10*s*. per bushel; and in the 45th of his reign it reached its present amount of 15*s*. per bushel. The House would observe that this 15*s*. per bushel was upon a raw material, the produce of the country, which mixed itself up with all the necessaries of life, and which was consumed alike by the poorest and by the richest. It fell with an unequal and oppressive weight upon the poor man, and was, in fact, nothing less than a poll-tax, operating in a manner the most unjust and arbitrary. The day labourer used as much of this raw material as he (Mr. C.) consumed, or any other individual in ten times his circumstances. Could that be a correct or fair principle of taxation under which the mechanic, the labourer, and the artisan paid as highly as the more wealthy classes of the community? Could it be justified by any thing but the direst necessity? It had been calculated that this tax alone cost the labourer from 20*s*. to 25*s*. per annum; and when the House considered the price of labour, especially of agricultural labour, it would see at once what an immense proportion of the income of these poor men was consumed by this oppressive duty. This raw material was bestowed upon us by Providence, like air or water; and yet where it had existed in the greatest plenty, the ingenuity of man had rendered it the greatest curse. It gave rise to innumerable crimes: breaches of the law, and conduct grossly immoral were encouraged, by the temptation it held out to the inhabitants of the district where the raw material was produced. Mr. Justice Burton (who for 28 years was chief justice of Chester), sir J. Stanley, chairman of the quarter sessions, and various other witnesses equally respectable, had given undeniable testimony upon this point, clearly demonstrating that the salt duty was a most fruitful source of crime and vice in Cheshire. This duty, from its nature, affected the labourer and the inferior tradesman in all articles of consumption: a man who only purchased 100*l*. worth of the raw material, was obliged immediately to advance to government 3,000*l*., or thirty-fold for the tax upon it. Yet this article was the produce of our own soil. To the duty was to be added, the accumulation of profit for each individual through whose hands the salt passed; so that a man who bought six pennyworth of salt, paid 36 or 37 times the price of the raw material, without which neither he nor his family could subsist. It was said, however, that all this weight was thrown upon the employer of the labourer —that it went to advance the wages of labour. True; but was there any thing more desirable in a community like this, than to keep down reasonably the price of labour? What would become of our manufactures at this moment, if the price of labour were not kept down? It was kept down indeed at the expense of the farmer, who could not now throw the taxes upon the consumer. The manufactures were kept in their present state —a state rather flourishing than otherwise —by what? Because the manufacturers ate the bread produced by the farmer without paying the tax upon it [hear.] Such was the real cause of the great depression in agriculture. Did he wish, therefore, that the manufacturers should be supplied with dear bread, or dear provisions? By no means; but he wished for a reasonable reduction of taxation, that the farmer might be able to furnish bread at a low price without loss; that commerce and manufactures might flourish, and the farmer flourish also. The duty on salt affected trade in many of its branches: it affected our fisheries in a most extraordinary degree; it affected agriculture itself to a very burthensome extent. So long as the tax existed, neither the fisheries, nor agriculture, nor trade, could derive those great advantages from the raw material that might, he was confident, be obtained if it were wholly removed. It might be asked, then, why he did not move for its total and immediate repeal? In reply he would say, that the resolution of the House on a former night, in favour of the sinking fund, was in opposition to it; besides, he knew that many large capitals were engaged in the salt trade; and if a

total and immediate repeal were effected, property to an enormous amount would be endangered, if not destroyed. One of the great evils attending this tax was, that it drove the salt trade into a monopoly. There were individuals in that trade who paid from 100,000*l.* to 200,000*l.* a year in duty. Therefore, when such a capital was invested, locked up, and shackled in the trade, he would not rashly attempt to cause the tax to be repealed, by bringing in a bill for that purpose in the present session. The House would perceive that he did not mean to proceed violently with this measure. It was his wish, however, that the public should ultimately be relieved from the burthen of this tax, convinced as he was, that the individual and the state would derive great benefit from its repeal. He felt that there was no necessity to go into further details with respect to the hardship and inconvenience produced by the tax on salt. When it was stated, that no man ate his salt at a less rate than 36 or 37 times the cost price, the inconvenience and hardship were sufficiently established; and those who meant to oppose his motion ought to show that the consumer was not affected to the extent he had described. If his object were achieved, then the revenue would, this year, be reduced to the extent of 500,000*l.* Now, the House had voted a sinking fund of 5,000,000*l.*, over which there was an estimated surplus of 200,000*l.* Admitting, therefore, that nothing further was done for the reduction of the expenditure—supposing that economy was pursued no further, and that the revenue did not continue to improve, he was sanguine in his belief that it would progressively increase—if one third of the salt-tax was given up, it would only reduce the sinking fund to 4,700,000*l.* Could any man be sincere in supposing that the difference between a sinking fund of 4,700,000*l.*, and of 5,000,000*l.* would entail the slightest inconvenience on the public creditor, or make any material variation with respect to the liquidation of the public debt? He had intended to go at length into the subject, but he conceived that he had made out a case sufficiently strong. He had brought this question forward hastily. His notice had been a short one, but he felt it necessary to adhere to it; the reason was, because if the motion were to remain in suspense, great inconvenience must result to those connected with the trade, and the revenue would sustain a considerable loss. He, on that account, thought it better to bring the subject forward at a short notice, than to postpone it. He held in his hand a letter from the drysalters of Birmingham, requesting that the motion should be put off. The drysalters, he ought to observe, were particularly interested in the repeal of this tax, because, by its operation, this country lost, almost entirely, the trade of salting beef and pork, its own produce. That trade, in consequence of the dearness of salt, was driven to other countries, where, either by smuggled salt, or by salt procured under low duties, the people were enabled to carry it on advantageously. He had been pressed hard by persons interested in this trade to postpone the motion, to give them an opportunity of communicating on the subject with other persons throughout the kingdom; and had he complied with these representations, petition upon petition would have been presented to the House, praying for a repeal of this tax. When he brought this question forward in 1817, the chancellor of the exchequer said, "Oh, you place too much reliance on the advantages which would accrue from a repeal of the tax. It was repealed in 1729, but as that appeal was not attended by any good effect, it was re-enacted in 1732." Now, he had looked into the life of sir Robert Walpole, and he found that the re-enactment did not take place in consequence of any disappointment as to the advantage which it was supposed its repeal would have produced. The fact was, that when sir Robert W. was commencing his excise scheme, he thought it was more easy to revive an old tax, and place it under the excise-law, than to introduce a new tax, for that purpose, in the then state of the opposition. He would quote in support of his view of this tax, a very high authority—he alluded to Mr. Burke, who, in a pamplet published by him in 1769, thought it worth while, when comparing the different situations of the people in this country and in France, to observe, that "amongst the number of advantages which the people enjoyed in this free and comparatively untaxed country, they could eat their salt at 2*d.* per lb., while those in France paid 5*d.* for it." Why did Mr. Burke make this remark? Because he knew that salt was an article of prime necessity; that it pervaded every article of life; that it entered into the composition of bread, butter,

cheese, bacon; that every member of the community was obliged to use it, and therefore he thought it a matter of boast that the people of this country were able to procure it at a cheap rate, as it was free from such an impost as the *gabelle* of France. But it now happened that the labouring people of England paid a much larger sum for that commodity than the people of France did under their arbitrary government, at the period when Mr. Burke made this comparison. It was, in his opinion, one of the articles which should, above all others, be kept untaxed if possible; but, if taxed at all, it should, be at the very lowest rate that circumstances permitted.—The hon. gentleman concluded by moving, "That leave be given to bring in a bill for the gradual reduction of the Duties on Salt."

Mr. *Davenport* entirely agreed in every proposition which fell from the hon. mover, who had done himself great credit in bringing the question before the House so clearly and explicitly. He had ensured the respect of the country gentlemen, the thanks of the farmer, and the ardent blessings of the poor by his exertions. This tax was of so oppressive a nature, that it ought to be at least abated, if not altogether repealed. At the lowest calculation, it took from the poor man 4*d*. a week, or about 16*s*. 8*d*. in the year; and those who had large families paid 25*s*. or 30*s*. per annum, a sum, which in some cases, was equal to half the rent. It was a tax, which must have been projected originally by some narrow-minded statesman. It was bad in principle, and therefore unsound in policy. Such a tax should not be suffered to exist in a free and enlightened commercial country. The hon. mover might, if he had thought proper, point out a variety of manufactures on which the salt duty pressed heavily. The manufacture of iron, of china, of glass, and a hundred other articles, were affected by it. With respect to its operation on the morals of the people, he could state, from his own observation, in the county with which he was connected, that it operated most banefully. And could it be otherwise? When there was a tax of 3,000*l*. per cent on an article necessary for the use of every man, did it not hold out an irresistible temptation to dishonesty? Individuals began by stealing small quantities of salt, and ended by committing crimes of greater magnitude. It was a tax most revolting, in every point of view, and therefore he would vote for its gradual abolition.

The *Chancellor of the Exchequer* said, the hon. gentleman who brought this subject before the House had certainly done so with much candor and temper. He was sorry, however, that he could not support his motion. It would give much satisfaction to ministers, if they could, consistently with the real interest of the country, agree to a greater remission of taxes; but, after what parliament had already done on this point, he certainly thought it necessary to withstand any farther reduction. The hon. member had spoken of the sinking fund in very candid terms, and had stated, that the subtraction of 300,000*l*. from the sinking fund would not materially affect its operation. But he (the chancellor of the exchequer) was prepared to contend, looking to the amount of the funded and unfunded debt, that it was necessary to have a sinking fund of at least 5,000,000*l*. The malt-tax in England had been remitted to the amount of 1,200,000*l*., that of Ireland to the amount of 200,000*l*., making a total of 1,400,000*l*. They were enabled to make these reductions by the saving of 1,200,000*l*. which would arise from the paying off the English five per cents—90,000*l*. from the alteration in the Irish five per cents—and the surplus of the sinking fund, amounting to 200,000*l*.—making a total of 1,490,000*l*. The surplus of the sinking fund, as the hon. member must perceive, was already appropriated. This was all the reduction that could now be made. Even with an improvement in the revenue, ministers felt that they would not be justified in proposing, at present, any measure, in the way of reduction, beyond the lowering of the annual malt-tax. He was of opinion that, even if the hon. member were right in his enumeration of the benefits to be derived from the reduction of this tax, the present was not the time for conceding it. He did not conceive that he was called on to enter into a discussion as to the most proper tax to be repealed whenever it became proper to approach parliament with a proposition for a more extended reduction. The choice of the taxes to be repealed must depend on the circumstances of the moment. Various arguments might be raised relative to the comparative justice and policy of repealing different taxes; and, therefore, he did not mean to enter into the question, whether

or not, in the event of a proposition being submitted to parliament by ministers, for further relief from taxation, the reduction or abolition of the salt duty would be the most proper for consideration. A gradual reduction of this tax appeared to him to be extremely objectionable. The hon. gentleman expressed a very proper concern for the interest of the persons engaged in the salt-trade. But, the moment the house agreed to a reduction of 500,000*l.* a year, the trade would be as completely at a stand, and as closely confined to immediate consumption, from hand to mouth, he might say, as it could possibly be if the total amount were remitted. Rather than reduce the tax by degrees, he would, if circumstances permitted it, agree to its total repeal. The hon. mover had described this tax as operating in the manner of a poll-tax of 20*s.* a head on the whole population of the country. The hon. member for Cheshire had made rather a lower calculation. But neither of those calculations could be correct; because if the tax fell on the people at the rate of 20*s.* a head, it ought to produce 14,000,000*l.* or 15,000,000*l.* annually, instead of 1,500,000*l.*; for the returns of the population showed that it amounted to between 14,000,000*l.* and 15,000,000 of persons. It followed, therefore, from the actual produce of the tax, that, instead of 20s. a head, it was, in reality, no more that about 2*s.* a head. This sum was expended, by fractions, from day to day, and therefore was the most convenient and least oppressive tax. The hon. gentleman had referred to the observations of Mr. Burke on the comparative situation of the people of England and France in 1769; but surely the hon. member must know, that the pressure of the salt duty on the people of France did not consist in the amount of the tax, but in the severe manner in which the *gabelle* was collected. In that country the trading for salt between one district and another, was strictly prohibited; and the inhabitants were compelled to purchase at particular places, and under the most severe restrictions. The hon. gentleman had contended, that the re-enactment of the salt-tax in 1732 was not adopted in consequence of the advantages of its repeal not having answered the expectations of the country, but because sir R. Walpole wanted to introduce it as one of the precedents in his excise scheme. If that were the fact, why did he not place it under the head of Excise? He had done no such thing; and it was not until 1796, during the administration of Mr. Pitt, that salt was placed under the superintendence of the Excise. In opposing the hon. gentleman's proposition, he stood upon the broad and general state of the case. Parliament had sanctioned, by its resolution, the establishment of a sinking fund; and he thought neither the consideration of the public honor, nor of the public interest could suffer them to depart from that resolution. Whatever might be done hereafter, they certainly were not now ripe for the reduction of other taxes. It was most material for the public benefit, that the system of the sinking fund, to which parliament had so lately pledged itself, should be strictly followed up; and, as the hon. gentleman's proposition, would, if carried, make an inroad on that system, he deemed it his duty to move the previous question.

Lord *Normanby* said, that on the immediate subject under discussion, he would not offer any remarks, as they were rendered superfluous by the able speeches of the hon. mover and seconder. With respect to the allusion that had been made to sir R. Walpole, he would make one observation. As far as his recollection served him, sir Robert moved the renewal of the salt-tax on grounds very different from those which had been stated. He moved for its renewal as a relief to the landed interest of the country, in lieu of a shilling a pound, which was taken from the land-tax duty. The land-tax weighed so heavily on the country gentlemen, that they began to neglect those ancient hospitalities which sir Robert thought it was necessary, for the honour of the national character, to keep up, and therefore he sanctioned this boon. But sir W. Wyndham, Mr. Pulteney, and all those who opposed the bill, argued that its operation would be severely felt by all classes. It was a question mooted when sir Robert was in the plenitude of his power, and he was backed by the whole landed interest of the country; and yet, in a house, consisting of 400 members, he carried his point by a majority of about 30. This proved how the measure was received at that period. They had heard much, and too truly, of the increasing influence of the Crown in that House. The fact was sufficiently proved by the manner in which obnoxious measures were carried,

and by the constant refusal to satisfy the wishes of the country. He supported the present motion, because he believed nothing could effectually relieve the distress of the country but the immediate reduction of taxation. With respect to the sinking fund, he hoped the House would revise the hasty resolution to which the chancellor of the exchequer had adverted. They had chosen to adhere to this *nominis umbra* of a sinking fund, which was not at all similar to the sinking fund projected by Mr. Pitt. If they meant to console themselves for the loss of the reality, by worshipping that magic name, they would be able to do very little towards alleviating the sufferings of the country. He thought the sinking fund, as it was called, ought to be applied to the amelioration of the prevailing distresses.

Mr. *Leycester* described the tax as a grievous burthen on the country at large. The relief granted to the agricultural interest by the reduction of the malt duty was, he contended, quite disproportionate to the distress under which it laboured. He was no friend to such temporary expedients; and he therefore called on the country gentlemen to demand such effectual measures as would rescue the land-owner, the yeoman, and the farmer, from impending ruin.

Sir *I. Coffin* said, it was not just that the poor man in this country should pay 18*s*. a bushel for a necessary of life which the inhabitants of other countries could procure for 6*s*. To prove the ill effects which the high duty had on morals, he stated that some years ago he had exported 100 tons of salt from Liverpool, during the shipment of which the persons employed carried away considerable quantities of it concealed in their breeches. Salt was found all over the world for the use of man, and he ought not to be deprived of it by excessive taxation.

Dr. *Phillimore* concurred with the hon. mover in his general objections to the tax. The tax was objectionable in principle, because it pressed upon the lower orders of the community, and because it pressed upon the landlord, by reducing his rent, and increasing his general expenditure. In spite of the drawbacks, it also pressed most severely upon the fisheries. For these reasons, in all the discussions which had taken place on this subject, he had felt that nothing short of necessity could justify the continuance of the tax. In 1818, the committee, of which he was a member, came to the unanimous resolution that it ought to be repealed; but they likewise came to the unanimous resolution, that the state of the income and expenditure of the country rendered it impossible to repeal it at that time. In 1819, many of the members of that committee re-considered the subject, and he (Dr. P.) proposed a resolution to that House, that a total repeal, or reduction of the tax, was desirable at the earliest practicable period. He regretted that the House rejected that proposition, because his object was, to lay the foundation of a repeal of the tax; and he thought that a repeal or reduction of this tax, was entitled to priority in preference to the malt-tax. The House was now called upon to consider whether the period was at length arrived in which the total repeal or the gradual abolition of the duty on salt was expedient. With regard to gradual abolition, he was certainly of opinion, that if the tax were to be repealed at all, it should be repealed altogether. He admitted that the whole machinery of the Excise, as applied to this tax, was most oppressive; but the question was, whether, under all the circumstances, it would be prudent to repeal it immediately? Now, as he was one of the members who had voted on a former night that it was expedient to preserve the credit of the country by maintaining a sinking fund of 5,000,000*l*. he did not see how he could come down to the House five or six nights afterwards, and vote for the repeal of a tax which would take away one-fourth of the sum which had been voted for the support of a sinking fund. However painful it was to him to arrive at such a conclusion, he felt that the House ought to abstain a little longer before they consented to repeal this tax; and he doubted not that the scheme proposed by the chancellor of the exchequer for paying off the five per cents would leave a disposable surplus next year, which could not be applied to a better purpose than to the repeal or reduction of this tax.

Mr. *Curwen* said, the chancellor of the exchequer had misunderstood his hon. friend, who had said that 20*s*. were paid, not by individuals, but by families, under this tax. It formed, therefore, a tax of one-24th of the labourer's wages, and only one-10,000th of the man with an

income of 1,000*l.* a-year. Was it not in the power of ministers to repeal this tax without breaking in upon the surplus of 5,000,000*l.* for the sinking fund? If country gentlemen would do justice to the country, and support his hon. friend, they would find that ministers would not break in upon the sinking fund, but would be compelled to retrench. Could any man doubt that there was yet sufficient room for retrenchment? As to the idea of excessive produce in agriculture, it should be recollected, that out of 25 years, previous to 1814, there were only two in which Great Britain produced enough for her own consumption. In 1814, the favourite argument was, that if we were not subdued by the sword, we might be by famine. Again, as to any reliance that was to be placed on the supposed flourishing state of the manufacturing interest, with what confidence could we look to that interest, when it was well known that the average wages of the manufacturer did not amount to more than 8*s.* a-week? It was notorious that one of the great causes of the distress of the agriculturist was, that the manufacturer was no longer in a condition to be a purchaser, and that he was compelled to resort to potatoes or other substitutes for bread. The only remedy for the present distress was, a reduction of taxation; for high prices, by producing importation, would only complete the ruin of the farmer. As to the reduction of 1*s.* a bushel on malt, it would not reduce the price of porter to the amount of a farthing in the pot, and would consequently give no relief to the farmer, who could only be benefited by a large increase of consumption. If ministers would consent to take off the salt-tax, instead of making this reduction on malt, it would operate as a relief to all classes of the community. It would relieve the labouring classes; it would relieve the agriculturist; and, by causing a double quantity of salt to be raised from the mines, it would call into activity an immense number of persons who were now out of employ. The repeal of this tax would be most beneficial also to the fisheries—that most lucrative of our commerce, with reference to which Dr. Franklin had said, that every fish taken out of the sea was a piece of money. The revenue derived from this source in Holland amounted to 10,000,000*l.* whereas the fisheries in this island, had never yet produced 1,000,000*l.*

Mr. *J. Smith* concurred, that the tax on salt would be repealed with much greater benefit to the country than the tax on malt. While he agreed that every practicable reduction of taxation was most desirable, he felt also that the interests of the agriculturist, as well as the general interests of the country, were involved in the maintenance of the public credit. Having stated this opinion, he hoped he should not appear to be guilty of inconsistency, when he declared that he most earnestly desired to see this odious and mischievous tax abolished. The great nourishment of the poor was derived principally from salted provisions. Salt, cheese, and bacon, formed the chief sustenance both of the agricultural and manufacturing classes; and he contended, therefore, that the tax pressed more heavily upon the poor than upon the higher classes. He was aware that the opinions of the majorities in that House were, for the most part, opposed to the opinions of the people, and that ministers appeared to disregard and despise the general opinions and feelings of the people. He could not refrain from observing, however, that no measure could so effectually give popularity to the government, and restore to them the good-will of the people, as the total repeal of this odious tax.

Mr. *Handley* opposed the motion. Notwithstanding the wild speculations which had been propagated, he could not think taxation the cause of, nor parliamentary reform the remedy for, the distress which existed. He was thoroughly convinced, that the distress was almost solely and exclusively to be ascribed to excessive production.

General *Gascoyne* observed, that at the period when this tax was increased to its present amount, Mr. Pitt had said, that it was not intended to be permanent. It was now contended, that it was more desirable at present to repeal the malt-tax, than to afford any relief upon this. The chancellor of the exchequer took great credit to himself, for the repeal of the annual malt duty, and seemed to consider it as sufficient to satisfy the demands of the country. The tax on salt, however, appeared to him a fitter subject for reduction; and as the bill for the repeal of the malt duty was not yet introduced, he would recommend a substitution of the one for the other. He was much surprised at the speech of the learned civilian on the ministerial bench. On several

occasions, he had heard that learned gentleman condemn the tax, and support motions for its repeal, in less favourable circumstances for that repeal than the present. In 1818, the third year of peace, the learned gentleman had spoke against the tax; but whether there were fewer saline particles on the ministerial side or not, the learned gentleman now in the seventh year of peace, thought its repeal too early. Nothing could give such relief to the manufacturer, the agriculturist, and the great body of people, as the measure now recommended. The repeal of one shilling a bushel on malt, would not be felt by the consumer: it would go into the pockets of the brewer; and would not make a difference of a farthing in the pot of beer.

Sir *F. Ommaney* said, he would vote for the repeal of all taxes that peculiarly affected the poor. The ground on which the motion was resisted was, that it would diminish the surplus set apart for a sinking fund to support public credit. He did not see the matter in that light. Reductions might be made in the expenditure, to compensate for the repeal of the salt-tax.

Sir *J. Sebright* would not only vote for the repeal of the salt tax, but of other taxes. The repeal of taxes would not necessarily reduce the surplus for a sinking fund until all the means of economy in the public expenditure were exhausted. Retrenchment, admitting of a reduction of taxes, should immediately be adopted; for if ministers did not begin retrenchments now, they must come to them at last. The agriculture of the country was suffering from excessive taxation, and the whole community was interested in seeing that agriculture was not crushed. The public revenue could not be kept up at its present rate, if the landed interest declined. He had inquired much into the present state of the country, and it was his opinion, that the average land of England, under the pressure of existing taxes, would soon not only yield no rent, but not be left in cultivation. In this state of things, when the demand for diminished taxation was so general and well-founded, ministers seemed to think that the repeal of one shilling on the bushel of malt, was sufficient to satisfy it. He considered this trifling reduction as an insult, when mentioned under the title of relief. He had heard much of the distress of agriculture out of parliament, and great talk of what the country gentlemen were to do, when parliament assembled. They had hitherto done nothing for their own relief, or that of the country. He now called upon them to come forward, if they did not wish to see their rents unpaid, their tenantry ruined, their lands uncultivated, and their labourers reduced to beggary and want.

Mr. *Littleton* thought the tax grievous and impolitic; but considering the resolution which the House had lately adopted, to support public credit by a sinking fund of 5,000,000*l*., and considering the present motion inconsistent with that resolution, he could not vote for its repeal at present.

Mr. *Egerton* thought the tax so unequal in its operations, and so oppressive to the lower orders, that he would vote for the motion.

Mr. *Bright* was of opinion, that the only chance of immediate relief consisted in the diminution of the vast pressure of taxation. He agreed, that a sinking fund ought to be kept up, but thought the chancellor of the exchequer had overrated the amount that would be necessary. When he saw a sinking fund to a much smaller amount, sufficient to support the public credit to such a degree, as to enable the chancellor of the exchequer to make an unparalleled change in the five per cents without diminishing the confidence reposed in government, he could not help thinking that the increase was unnecessary. They might, he thought, strike out of the estimates many sinecures, many useless offices, many boards, and lords of the admiralty. He would call upon the gentlemen of England to perform this duty to the public; and, with respect to the repeal of taxes, there was none, that, in his opinion, would be likely to afford more general relief than that which formed the subject of consideration.

Mr. Alderman *Heygate* observed, that it was the duty of the House to adhere to a consistent policy, and not lightly to change its resolutions. The proposition now made, called upon them, in the face of one of the greatest financial operations ever attempted, to pass a vote that might defeat or prevent its effect. Many future opportunities would present themselves of effecting retrenchment wherever it was practicable: but they ought not, whilst a great measure of finance was yet in progress, to cut off part of that income

which a few nights ago they had agreed to maintain. With regard to the general propriety of the repeal, he was satisfied that a further reduction of the duty on malt would be of more advantage to the community at large. The existing agricultural distress was partly the consequence of too suddenly narrowing the circulation, and partly arose from over-production. He congratulated the House and the country, however, on the prospect of reduced taxation. A million and a half had been already surrendered, and a considerable improvement was moreover to be expected in the public income. A variety of other opportunities would occur for acting upon a system of economy, and they had the pledges of ministers that they would omit no occasion of limiting and restraining the public expenditure.

Mr. *Gipps* said, he was not now actuated by any desire of popularity, but he conceived that the tax ought to be repealed, and that the deficiency might be easily supplied by reductions in the expenditure.

Sir *C. Burrell* thought, that, considering all the elements of the question, the repeal of the tax on salt would operate more relief to the agriculturists, and to the country generally, than the reduction of the duty on malt.

Mr. *Benett*, of Wilts, allowed, that the tax was generally oppressive. Could they not, then, endeavour to save as much out of the expenditure, as would enable them to abolish it at once? Gentlemen, while they admitted the hardships of the tax, had proposed delay in the repeal of it; but they would do well to remember the adage—"While the grass grows the steed starves." This tax pressed heavily upon all classes of the country; and, therefore, the country would be substantially relieved by its repeal, which would not be the case with the trifling reduction of one shilling a bushel upon malt.

The Marquis of *Londonderry* said, he would not disguise, that he felt extreme anxiety for the arrival of that moment, when the state of public credit would permit ministers, or point it out to them as their duty, to remove a considerable part of the existing taxes. The hon. member for Nottingham had reminded them of the popularity they might acquire, by the affirmative of this question. He hoped he was duly sensible of the value of popularity, but he should be unworthy of the situation which he held in his majesty's councils, if he were capable of sacrificing to it a larger interest, and of yielding higher considerations to a temporary and delusive object. The hon. member had not been very consistent in concluding with such a recommendation, after a tirade on public credit; for it was a course of proceeding very ill calculated for the support and maintenance of public credit. The hon. member who brought the proposition forward, had placed it on a fair, candid, and parliamentary ground, contending that it did not go, either in letter or in spirit, to rescind the vote to which the House had lately acceded, but that the one was perfectly consistent with the other. The committee to which this subject had been referred, felt that the tax was open to many specious objections, and afforded scope for a variety of pathetic appeals; but they contented themselves with proposing certain modifications, and referred it to the House to consider when the finances of the country, and the excess of income over expenditure, would allow of its repeal. Now, was the suggestion of that repeal at present compatible with the late resolution of the House, as respected the sinking-fund? Was there not a great operation now in progress in the money-market? The hon. mover had brought forward his measure like a skilful parliamentary tactician; and, doubting the success of a project for totally abolishing this branch of the revenue, he had proposed to effect the measure by three successive gradations. But, unless they were prepared for an infraction of the system which was recognised but a few nights since, they would not lend their countenance to this progressive principle of reduction. Let them recollect, that if this motion was carried, there would be no barrier against other reductions. There was a powerful party, whose avowed object it was, to destroy the sinking fund; though by this means the credit of the country would be laid prostrate. Let not gentlemen suffer themselves to be entangled, or become the allies of the common enemy. If honourable members were not on their guard, the enemy would obtain a triumph, even whilst the House was decidedly against them. The repealers of one night would boast that their scheme was drawn up with a view to the conservation of the sinking fund; and afterwards would come the hon. member for Nottingham, and press for the repeal of the leather tax, and for another slice, no less indeed than

600,000*l*., from the sinking fund. Now, from the state of the money market, the saving effected by the reduction in the 5 per cents. would not exceed 1,200,000*l*., and the whole of this, together with the extra 260,000*l*. of the sinking fund, would be counterbalanced by the diminution of the malt duty. He hoped the House would beware, then, of the trap which was set for it; ministers, he would venture to say, had surpassed the expectations of the House? They had indisputably gone beyond the suggestions of the finance committee, nor was it to be supposed, that they had closed the account of reductions. It must be remembered, however, that as far as reduction had gone, there was *pro tanto* less field for it remaining. The proposition before them went to shake our financial system to its base. In the army no further reduction could at this moment take place. Honourable gentlemen opposite were willing to grant what additional troops might be requisite for the immediate exigency, and it seemed also to be admitted, that the Navy and Ordnance were at their lowest establishment. It was only in the civil branches of expenditure, that retrenchment was considered practicable: and what very extensive saving could be effected on the two millions composing the civil list? Let not gentlemen, then, proceed to shake that system which they had recognised, and inflict a fatal wound on public credit, for the sake of premature or speculative retrenchments. When the proper time arrived, ministers would not fail to evince the same disposition that actuated them now, and avail themselves of the first opportunity of cutting down useless expenditure. But he called on the House, to keep faith with the public, and not to recede from the pledges given in the midst of a financial operation, so nearly affecting the interests of the stockholder, and the future credit of the country. If our financial system was to be sacrificed, at least let it be pulled down openly and directly; but he conjured them not to trifle with their former vote, nor get rid of it by a course of proceeding so prejudicial to the character of parliament.

Sir *T. Lethbridge* said, that his majesty's ministers were not, he feared, sufficiently apprized of the existing distress. For his own part, the speech from the throne had raised a suspicion in his mind, that it was not intended to grant that relief, without which he trembled for the consequences. Under this impression he had considered their proposed retrenchments as inadequate; for taxation, if not the primary, must be regarded as an auxiliary cause of the distress. He perceived with regret, that the landed interest was falling in that House. He did not know the causes which had led to this result; but it was powerfully impressed upon his mind, that the gentlemen who represented the landed interest in that House, had by some extraordinary means been induced to turn their backs upon themselves. He was afraid it was intended to sacrifice the country to the debt. God forbid that he should speak with disrespect of the monied interest, which might be called one of the great arms of the country; indeed, he believed that at the present moment it was in the aggregate greater than the land. He could not, however, help thinking that it was supported in a great measure at the sole expense of the land. In the view which he entertained of the present wants of the country, he could not rest satisfied with a reduction of the salt-tax merely; but, in the absence of a greater proposed relief, he would cling to that, as a drowning man would catch at a straw. He did not differ with ministers on the subject of their general policy; on the contrary, he looked up to them as men of great and splendid character. In their general line of policy they possessed his confidence, and he believed they also possessed the confidence of the people of England—he meant the legitimate people, for the hon. member for Hertfordshire had drawn a just distinction between the real and the false people, describing the former to consist of the manly yeomanry, and the latter to be composed of a certain unfortunate portion of the population which inhabited great manufacturing towns. But although he at present placed confidence in ministers for their general policy, he would tell them, that if they persisted in the resolution which they appeared to have adopted, of sacrificing the landed to the monied interest, he would soon withdraw it from them. He was convinced that ministers would dread to lose the confidence of the country. He knew them to be men of great talents and sound understanding, and that they would not wish to govern the country without carrying with them its confidence and support. He entreated them, therefore, for their own sakes, to reconsider the resolutions to

which they had come upon the subject of the distresses of the country. He was persuaded that the aggregate monied property of the kingdom did not bear its fair share of the burthens of the country. With respect to the question before the House, he wished that the repeal of the tax had not been proposed to be gradual, but total and immediate. He hoped, however, that the motion would be carried; for although the relief it proposed was small, yet it was something. Nobody ought to be surprised at the sentiments which he had felt it his duty to submit to the House. It was for him to reflect the opinions of those who sent him there. In the name of his constituents he represented their distresses, and called upon government to come forward with other measures to afford them relief than those they had proposed, which were totally inadequate for that purpose.

Mr. *J. Martin* said, he should support the motion on the principle of economy, believing that it would not interfere with his former vote.

Sir *E. Knatchbull* felt persuaded that the country gentlemen would discharge their duty, unawed by any intimidation or threats from one side of the House, and uninfluenced by any seductions of power or authority from the other. If, on a former night, he had given by his vote a distinct pledge to sustain, under all circumstances, a sinking fund to the precise amount of five millions, he most certainly would not vote for the repeal of the tax on salt; but, feeling that he made no such pledge—considering that his vote only went to the extent of viewing a sinking fund as a benefit, he should support the motion. He did not believe that the sinking fund would be endangered, if the House should resolve to repeal the tax upon salt; for ministers could effect further retrenchments to meet their diminished income.

Mr. *T. Wilson* thought the principle of the motion good, but that the motion itself was far from wise at that moment.

Mr. *Brougham* said, that if any man had heard all the speeches of the members who had that night addressed the House, with the exception of the concluding sentence of some of them and the whole of the speech of the noble marquis, that auditor must have concluded, that there never was a more unanimous and harmonious assembly, or one in which there was less likely to be a difference in the decision. Indeed, not a word had fallen from any member, in which the reprehension of the principle of that odious tax had only been exceeded by the abhorrence which all pronounced at the machinery. Whether then, on the ground of the surplus for a sinking fund being considered sacred, or whether retrenchment, so loudly called for, was not to be carried into effect, he would still venture to predict, that if the House did its duty, that tax, which all agreed in reprobating, would be repealed. But if the House itself did not force it—if it waited until the noble marquis had discovered a practicable mode of retrenchment—then he would predict, that the House would neither see any system of retrenchment, nor again hear of the repeal of the salt-tax. But the noble marquis appeared to think that there was a great inconsistency in voting for the repeal, in those gentlemen who had supported the resolution proposed on a former night. He denied that inference altogether. There was nothing in that resolution which pledged its supporters to any such course. Taking that resolution in its fullest extent, whether the sum was one or five millions for the sinking fund, neither those who voted for it, nor those who voted against it were precluded by that vote from exercising their free judgment on the propriety of a repeal of this tax. Those only were precluded from supporting the motion, who had pledged themselves not to support any proposition of future retrenchment. He hoped the House would take warning from the use which the noble marquis made of the vote into which he had beguiled them on a former occasion, and not suffer themselves to be again duped. If at the time the chancellor of the exchequer proposed to the House that resolution, any hon. member had said to the House—"Do not vote for it, for if you do, you will pledge yourselves against all reduction of taxation, because the meaning of the vote is not only that a sinking fund of five millions is to be kept sacred, but that no man shall vote for the repeal of any tax, however odious it may be"—if any person had said this, he believed the noble marquis, in conformity with his usual tactics, would have replied—"Listen to no such proposition: vote for the resolution now, and when the taxes come to be discussed *seriatim*, you may then make up your minds to retain or reject them." Hon. members, however, in-

cautiously voted for the resolution, and then the noble marquis, having nailed them, as it were, said, "You shall not vote for the repeal of this tax, however unjust and injurious it may be, because you have pledged yourselves against the repeal of any tax until there shall be a new surplus of revenue. From this specimen of the conduct of the noble marquis, the House might anticipate with certainty that their vote of that night if it should be unfavourable to the motion, would be construed into a pledge against all reduction during the course of the present session. When the hon. member for Aberdeen should show, in the committee of supply that such and such places and salaries were useless, and ought not to be retained, the noble marquis would say, "You must not abolish these offices, because on Thursday night you voted against the repeal of the salt-tax, on the ground that no further reduction could be effected. [The marquis of Londonderry uttered an expression of dissent.] All he could say was, that if the noble marquis did entertain any such design, he hoped the House would force him to carry it into execution. If the House should repeal the salt-tax, the noble marquis would do as he had done in 1816, and reduce still further. Upon the last occasion when his hon friend brought forward his motion for the repeal of the salt-tax, it was defeated by a small majority of nine only. What would be the effect produced upon the country if the House should now, when the burthensome effect of all taxes was augmented by the change in the value of the currency, oppose the proposed reduction.

Mr. Secretary *Peel* protested against the doctrine of the hon. and learned gentleman. He implored the House to reflect on the situation in which it had so honourably placed itself by the resolution of 1819, and instead of rescinding that vote, he trusted they would re-affirm it by their decision of that night. Did any man doubt the construction that was put by the country on their vote a few nights back? Were not the holders of five per cent stock at that moment engaged in a negociation beneficial to the public interest, on the guarantee which that vote gave to the public creditor? He was, on grounds wholly distinct from any considerations of revenue, opposed to any pledge from parliament, as to any gradual repeal of taxation. Such a pledge always operated prejudicially to the interests of the dealer and consumer of the article so taxed. He would not then enter into any detailed statement of the public revenue: the expenditure was 50 millions; the income 55 millions. After applying 33 millions to the payment of the interest of the public debt, there remained 17 millions for the four great departments of the state—army, navy, ordnance, and miscellaneous services. From which of these grants could a reduction be made? He had the authority of the gentlemen opposite, that the army must not be reduced. With respect to the navy, even the hon. member for Montrose was willing, though he called for a reduction of the marines, to give a corresponding increase of seamen. His hon. friend himself had complimented his majesty's government. He did not take any part of that compliment to himself; but with regard to those whom he had the honour to call his colleagues, by what means had they secured the confidence of the hon. baronet and the House? It had been, by pursuing, through a period of great difficulty, a course the opposite of that which his hon. friend in contradiction to his usual practice, now advocated—by rigidly upholding the national faith, and the public character of the country. If the House, for the sake of gaining a temporary and partial popularity, should accede to this motion, they would do that, which was at variance with the best interests of the country, and of which, he believed, they would speedily repent.

Mr. *Maberly* rose, to correct the statement of the right hon. secretary, who had said, there was no possibility of retrenchment out of a revenue of 17 millions. Now, the saving was not to take place out of 17 millions, but out of 25 millions. The right hon. gentleman had asked, would they reduce the army? Would they reduce the navy? and so on. He would say, no! But out of the expense of collecting the revenue, there might be a saving, which would more than cover the whole of this tax.

After a short reply from Mr. Calcraft the House divided. For Mr. Calcraft's motion 165. Against it 169. Majority against the motion 4.

List of the Minority.

Abercromby, hon. J.	Beaumont, T. W.
Allen, J. H.	Barham, J. F.
Althorp, visc.	Baring, sir T.
Acland, sir T. D.	Barnard, visc.
Astley, sir J. D.	Barrett, S. M.

Bennet, hon. H. G.
Benyon, B.
Bernal, R.
Birch, J.
Brougham, H.
Bright, H.
Bury, visc.
Baillie, John
Boughey, sir J. F.
Bentinck, lord W.
Bastard, E.
Bastard, J. P.
Butterworth, J.
Burrell, sir C.
Burrell, W.
Boughton, sir C. R.
Buxton, J. J.
Benett, John
Chaloner, R.
Carter, J.
Cavendish, lord G.
Cavendish, H.
Cavendish, C.
Caulfield, hon. H.
Clifton, visc.
Coffin, sir I.
Colborne, R.
Concannon, L.
Crespigny, sir W. De
Crompton, S.
Curwen, J. C.
Creevey, T.
Chetwynd, G.
Curteis, J. E.
Cole, sir C.
Chandos, marq.
Corbett, P.
Calvert, N.
Calvert, C.
Davies, T. H.
Denison, W. J.
Denman, T.
Dundas, hon. T.
Davenport, D.
Dickinson, W.
Deerhurst, lord
Ebrington, visct.
Ellice, E.
Egerton, W.
Fergusson, sir R. C.
Fitzroy, lord J.
Folkestone, visc.
Frankland, R.
Fane, John
Fleming, John
Graham, S.
Guise, sir W.
Gipps, G.
Gascoyne, gen.
Haldimand, W.
Hamilton, lord A.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Howard, hon. W.
Hughes, W. L.
Hume, Joseph
Hurst, R.
Heber, R.
James, W.
Johnson, col.
Jervoise, G. P.
Jones, John
Knatchbull, sir E.
King, sir J. D.
Keck, G. A. L.
Lambton, J. G.
Lemon, sir W.
Lennard, T. B.
Lloyd, sir E.
Leycester, R.
Lethbridge, sir T.
Luttrell, H. F.
Luttrell, J. F.
Lawley, F.
Maberly, John
Maberly, W. L.
Macdonald, J.
Mackintosh, sir J.
Martin, J.
Maxwell, J.
Musgrove, sir P.
Marjoribanks, S.
Normanby, visct.
Neville, hon. R.
Newman, R.
Nugent, lord
O'Callaghan, J.
Ord, W.
Osborne, lord F.
Ossulston, lord
Owen, sir John
Ommanney, sir F. M.
Palmer, C. F.
Palmer, col.
Pares, Thos.
Phillips, G. R.
Powlett, hon. W.
Price, Robt.
Proby, hon. G. L.
Pym, F.
Plummer, John
Ramsden, J. C.
Ricardo, D.
Rickford, W.
Ridley, sir M. W.
Robarts, A.
Roberts, Geo.
Robinson, sir G.
Rumbold, C.
Russell, lord John
Rice, T. S.
Rogers, Edw.
Smith, hon. R.
Smith, J.
Smith, W.
Smith, G.
Smith, Robt.
Scarlett, J.
Scudamore, R.
Sefton, earl of
Scott, John
Sebright, sir J.
Stewart, W.
Scourfield, W. H.
Stuart, lord J.
Shelley, sir John
Sykes, D.
Taylor, M. A.
Tierney, rt. hon. G.
Tulk, C. A.
Thompson, W.
Tennyson, C.
Townshend, lord C.
Warre, J. A.
Webbe, Edw.
Whitbread, W. H.
Whitbread, S. C.
Wilkins, W.
Williams, T. P.
Williams, W.
Wilson, sir R.
Winnington, sir T.
Wood, M.
Wyvill, M.
Wells, John
Whitmore, W. W.

TELLERS.

Calcraft, John
Duncannon, visc.

PAIRED OFF.

Anson, G.

HOUSE OF COMMONS,

Friday, March 1.

ILCHESTER GAOL—TREATMENT OF MR. HUNT.]—Mr. *Hobhouse* said he held in his hand a petition, signed by upwards of 5,000 persons living in the town of Blackburn, in Lancashire, complaining of the hard treatment to which Mr. Hunt was subjected in Ilchester gaol, and praying that the House would address the king to commute the sentence of Mr. Hunt, or at least to rescind the resolution adopted at the last quarter sessions for the county of Somerset, in consequence of which Mr. Hunt was now so severely treated. The hon. gentleman then proceeded to express his disapprobation of the manner in which Mr. Hunt had been treated during his confinement, and particularly censured the resolution which had been adopted at the last quarter sessions for Somersetshire for the regulation of Ilchester gaol. He eulogized the conduct of the commissioners, and dwelt at length upon a variety of details, which have already appeared before the public. He called upon the House to look at the total absence of control in the prison. The gaoler was not checked by the surgeon, the surgeon by the coroner, nor the coroner by the magistrates. Let them remember the abuses and cruelties proved: Hillyer loaded with irons, and beheld, so loaded, without interference by the magistrates; and Mary Cuer, with her new-born child, exposed to cold and hunger. Let members advert to the badness of the bread, and to the impurity of the water—to the absence of air and sunshine, and to the presence of instruments of torture unparalleled but by those brought over in the Spanish armada. Mr. Hunt's imprisonment was an evil as regarded himself, but it had been the source of incalculable advantage to the commu-

nity; and, whatever had been his course before he went to gaol, his conduct since had made him a public benefactor. The least that government ought to do for Mr. Hunt would be to take care that his heavy sentence was not aggravated by ill treatment.

Mr. *Dickinson* assured the House that there was every disposition on the part of the magistrates of Somersetshire to carry amelioration as to gaol discipline into effect.

Mr. *Bernal* said, that by the 31st Geo. 3rd, the county magistrates had power, in cases of necessity, to revise and alter rules laid down by judges of session. Such power might be beneficially exercised in the present case.

Mr. *W. Smith* knew nothing at all of Mr. Hunt; but believed that, as far as Ilchester gaol was concerned, he had been the means of producing very considerable good. The House had been told that prisoners aggrieved had the power of complaining to visiting magistrates; but the report of the commissioners proved such power to be insufficient; for it declared, that the regulations of the visiting magistrates themselves had been of a contradictory and irritating tendency.

Sir *R. Wilson* thought the visiting magistrates deserved blame for not having exercised a more strict vigilance over the conduct of the gaoler. The manner in which they allowed one of the prisoners to remain with iron handcuffs round his wrists, which weighed ten pounds and a half, could not be too much reprobated. Such was the terror which the oppression of his keepers inspired, that when this unfortunate prisoner was brought before the commissioners, he never ventured to complain.

Mr. *P. Moore* did not know Mr. Hunt; but he knew that he was a British subject, that he had been barbarously treated, and was entitled to the protection of that House. He hoped every man would feel that Mr. Hunt's case might one day be his own, and take it up accordingly. If ministers did not interfere in behalf of those who were thus oppressed, they would not do their duty.

Ordered to lie on the table.

SINKING FUND.] Mr. *Bankes* moved for accounts of the capital stock redeemed, of the public debt, with a calculation of the effect that would be produced on the principal of the debt in the course of ten years, by the operation of a Sinking Fund of 5,000,000*l.* at simple and at compound interest; and other papers connected with the same subjects.

Mr. *Grenfell* wished to ask the chancellor of the exchequer, whether it was his intention that the present amount of five millions only should be applied to the liquidation of the debt, or whether that sum was to be allowed to accumulate at compound interest for the same object.

The *Chancellor of the Exchequer* replied, that it was his intention, as soon as the financial arrangements for the present year were concluded, and the budget opened, to move for the appointment of a committee of enquiry into the means of adopting a plan for the simplification of the public accounts. He should then propose that the sinking fund should be made a particular object of attention. It would be for the House then to consider whether the accumulation by compound interest should be applied to the extinction of the debt, or whether it should be left to the disposal of parliament. The question was one which would require great attention, because, if they decided upon the latter course, it would be necessary to repeal several acts which now regulated the application of the fund.

Mr. *Tierney* expressed his conviction, that the noble marquis had, in stating his general plan to the House, held it out, as the intention of ministers, to reduce a million of taxes next year, and to proceed with reductions in the years following. But now they found that all the relief to be afforded was, the reduction of one shilling a quarter upon malt.

The Marquis of *Londonderry* denied that he had, in point of fact, said that there would be any farther repeals of taxes. What he stated was, that the House having pledged itself in 1819, to establish a sinking fund of five millions, and that resolution being now accomplished, it would be left open to parliament in what manner it should make use of any accruing surplus therefrom. He distinctly stated the future reduction of taxes to be dependent on the will of parliament, when it should have these farther sums at its disposal. He left it open to parliament in this manner; and at the same time he observed, that the distress of the country appeared to him to call for the relief. But if the agricultural interest should revive before the period arrived, the House was not pledged to any parti-

cular course with regard to the funds that would be placed at its disposal. He hoped, therefore, that it would be borne in mind, that he never did say that any surplus which might arise, should of necessity be applied to the reduction of taxes.

Mr. *Tierney* contended, that the interest of the sinking fund could not be at the disposal of parliament, as the noble marquis seemed to consider it. Without the repeal of several acts, parliament could not touch the compound interest, growing out of the five millions. When the noble lord said that such accumulations were at the disposition of parliament, he announced that the sinking fund, upon the principle of accumulating by compound interest, was at an end.

The Marquis of *Londonderry* said, that what he spoke of was, any surplus that might accrue beyond the five millions to be applied to the liquidation of the debt.

Mr. *Tierney* expressed his astonishment at hearing the noble lord speak of a surplus of five millions, when in fact there was no such thing. He could understand the present manœuvre of the noble lord very well; it was to destroy the old machinery of the sinking fund, for the purpose of getting it into his own hands. He contended, that the produce of the sinking fund must be laid out at compound interest as the law now stood.

Mr. *Ellice* thought the subject should be discussed in all its branches, and hoped that an ample debate would take place upon it at some future opportunity.

Mr. *Maberly* said, he had understood from the noble marquis, that an annual reduction of taxes was to ensue. It would be much better for the noble lord not to come down to the House to make statements which were to be contradicted upon another occasion. The finance accounts which he had presented to the House, were also fallacious; or else the annual accounts were fallacious. They were, in fact, both fallacious; some in one thing and some in another. He had been to the Treasury to enquire into some of the contradictions, and to endeavour to get them explained. He saw there a very intelligent gentleman, Mr. Hill; but he was quite unable to reconcile the accounts. As it was his intention to submit a motion to the House upon this subject, at some future period, he should say no more at present.

The Marquis of *Londonderry* repeated, that he had distinctly stated that it would be left open to parliament as to what they should do with any surplus which might arise hereafter. It was for them to decide whether it should be applied solely to the reduction of taxes, or divided with any other object; whether the whole sum should accumulate at compound interest, or whether the whole surplus should be taken or any part of it.

Lord *Althorp* said, he had understood distinctly that these prospective reductions were announced.

The *Chancellor of the Exchequer* remarked upon what had fallen from an hon. member relative to his applying at the Treasury for information respecting the public accounts. The hon. gentleman had said, that he learnt there that those accounts were erroneous. He would venture to say that, the hon. gentleman had mistaken what he had heard. If the gentleman to whom he had applied, Mr. Hill (than whom a more intelligent and valuable servant of the public did not exist), were at the bar of that House, he would reconcile all the public accounts of which the hon. member complained.

Sir *H. Parnell* said, that the simplification of accounts ought to be extended to all the public departments.

Mr. *Hume* condemned the incorrectness of the public accounts. There were scarcely two Treasury accounts laid on that table which agreed with each other; and this he pledged himself to prove when they went into the committee upon the subject. He thought ministers ought to effect the simplification of the accounts themselves, without calling upon the House to do it.

The motion was agreed to.

NAVY ESTIMATES—LORDS OF THE ADMIRALTY.] The House resolved itself into a committee on the Navy Estimates. After several resolutions had been agreed to,

Sir *John Osborn* said, that as the estimates for wear and tear had been disposed of, it now became his duty to submit the votes for the ordinary and extraordinary service of the navy for the year 1822. He was glad that this duty devolved upon him at a period when the recurrence of peace enabled him to submit to parliament reduced estimates for the naval service of the country, and to evince the disposition of government to reduce, in a considerable degree, the public expenditure. The

navy estimates were divided into two branches—the ordinary and extraordinary. The ordinary comprised the establishment for the different public offices, for the dock-yards, harbour mooring, and such services, together with the half-pay of the superannuation pensions, naval and civil. The extraordinary comprised the keeping and repairing ships, the expenses of dock-yards not otherwise disposed of; and in both of these divisions there was a considerable reduction for the present year. In the ordinary estimates, there was a reduction of 30,000*l.*; and in the extraordinary, a reduction of 771.000*l.* It was obvious that the reduction of some of the offices imposed an expenditure for retiring provisions; there was no increase in the half-pay of the ordinary, but there was an increase of 75,000*l.* in the widows' pensions. The other increase was in the superannuation pensions. In the principal departments of the navy in London; namely, in the Admiralty and the Navy pay-office, a reduction, as compared with last year, of 41,000*l.* had been effected; in the dock yards, 8,700*l.*; in the foraging yards 1,400*l.*; in the Victualling office, 10,200*l.*, besides some reductions, which amounted to a considerable sum. There had been an increase of 75,000*l.* in the widows' charges, and of 20,000*l.* in the superannuation list, for the reasons he had already stated; but it fell short of the saving effected in these branches of the naval service. In the extraordinary branch, a great reduction would be found under the head of estimates for building and repairing ships, which amounted to 482,000*l.*; and 158,600*l.* from the expense of Sheerness works. He begged also to state that the new work at Sheerness would be completed this year; and that the only remaining expense would be for the old work, which could be gradually supplied. He concluded by moving "That a sum not exceeding 57,616*l.* 5*s.* 1*d.* be granted to his majesty for defraying the salaries and contingent expenditure of the Admiralty office for the year 1822."

Sir *M. W. Ridley* rose, on the question being put, and said, that he felt it his duty to renew his motion in that committee for the reduction of the grant for defraying the salaries of the junior lords of the admiralty. One of the objections formerly urged against his motion was, that the existing number of the lords of the admiralty board was the same ever since its original formation; and that, in fact, usage and custom sanctioned the present constitution of the admiralty board. Now, that statement was not correct: the admiralty board was formed in the time of king William. From authentic information, he found that in the year 1702 there were but four junior lords: the same number continued in 1709; in 1714 there were five, and the same number remained in 1717; since then the number had been increased to six. A period of 47 years only had elapsed since that increase, and his first motion for their reduction—a length of time not sufficient to give the sacred character of prescription to the increased number. When they looked at the present situation of the country, and at the decrease in the number of ships and men required for the public service, they must at once be struck with the fact, that the time had come when this board ought to be reduced. Let them look at the number of seamen voted for the present year. There were only 21,000 men required, and 119 ships kept in commission. But if 140,000 men were considered necessary during the war, and 1,200 vessels, and if six junior lords were at such a period competent to transact the ordinary business of such a large naval force, it surely would not be contended, that the same number was required at the board when the naval force was reduced to 21,000 seamen, and 119 ships. He was aware it might be said, that notwithstanding the reduction, these junior lords could still find business enough to do in their office. Indeed, no man could doubt their capacity, if they pleased to find business enough for each other. The secretary and the junior lords might, for instance, spend their mornings in detecting what they called the blunders of his hon. friend (Mr. Hume), in calculating the navy estimates. They might work hard to assist in furnishing matter for the secretary's speech; but, useful as that employment might be, it was not improbable that they might be equally well employed in correcting the blunders of their own office: they might have enough to do in such an occupation, without devoting themselves to considering, in the spirit of prophecy, what his hon. friend (Mr. Hume) might say, when he came down to make a specific motion in that House. The junior lords of the admiralty might deem that a sufficient employment of their time; but the House might not quite coincide in the view they

took of their own utility. The constitution of the board of admiralty had already been under the consideration of different committees appointed by that House. The committee of 1797, had particularly alluded to the constitution of the admiralty board, and had suggested, that though during the war it was not likely the six junior lords, exclusive of the chief lord, could be reduced in part, yet that in time of peace the propriety of such a reduction might be considered. The number of clerks had, he knew, been reduced, but no alteration in the number of lords had taken place; not that they were required for any purpose of official business at the admiralty, but because the ministers deemed the continuance of their number too essential a branch of official patronage to be interfered with. In the reduction which he meant to propose, it was not the object of saving 2,000*l.* a year he most looked at; but it was the principle of the reduction for which he contended. Not that 2,000*l.* a year ought to be overlooked, or even 2,000 shillings, in the present state of the country; but it was the undue patronage which the ministers of the Crown were bent upon retaining, that was the most objectionable part of the transaction. On a former occasion, when he had brought this question forward, the noble marquis opposite had opposed the motion on the ground that the House ought not to entertain by anticipation a consideration to which the attention of the Finance committee would, in all probability be drawn. The House yielded to the noble marquis's view, and rejected the motion. But when the finance committee sat, and the question of the reduction of the lords of the admiralty was mooted, the consideration of it was altogether resisted;—"No!" said the committee, "it is withdrawn from our consideration by the decision of the House upon the motion." So that, according to the noble marquis, it was fit to entertain the subject in the House, because the committee would discuss it; and when the committee sat, they turned round, and refused to consider it, because the House had not entertained it. The noble lord referred the matter to a set of gentlemen up stairs; and they in their turn sent it down stairs! so that between the two efforts to have the subject considered, it was altogether left without discussion. But the report of the committee of 1797, whose labours had been the subject of so much praise, specifically adverted to the propriety of considering the construction of the admiralty board in a time of peace. That time had now come; and the House ought to see the recommendation of the committee of 1797 attended to. Another ground upon which the number of junior lords had been defended, besides their services in time of war, was of so very ludicrous a character, that he could not help adverting to it. The admiralty board had been called a school for statesmen: it was described as furnishing a necessary step of political education, to prepare young gentlemen of aspiring views, for the efficient service of government in the higher departments of the state. He thought the gentlemen who used this extraordinary argument would readily admit that if any one branch of the public service required more than another the advantage of practical skill, it was the maritime service of the country. Upon the maintenance of its maritime greatness the commerce of this country depended, and for preserving it he thought no man would deny that much experience and skill was necessary. Not so, said his majesty's ministers: they told the country, that the maritime affairs of the nation might be superintended and conducted by young gentlemen who went to the admiralty board merely for their political education, and to learn enough business to qualify them for higher situations. One hon. gentleman had lately finished his education at the admiralty board, and was removed to the board of control: but it was odd enough that in the first preparatory school the young gentlemen, instead of paying for their education, were actually paid for receiving it; and when they were qualified, as his hon. friend was, for higher duties, he was transplanted to a board where he derived no emolument for his more matured qualifications to discharge official duties. So that he had perfected his education with a salary; and he was now developing the acquirements of it without one at the board of control. He would mention a curious anecdote respecting the duties of a commissioner of the board of control, and for which the previous qualification of the admiralty was deemed essential, with the additional excitement of a salary. An hon. member of high talents who was anxious to promote the views of government at the board of control, and to give his effective assistance in the progress of

its business, had applied for the office of one of the unpaid commissioners. The government admitted his merits, appreciated his talents, and conferred upon him the appointment. Anxious to give the assistance he had promised, the hon. gentleman to whom he alluded went down to the office of the board of control, and asked if his assistance was required? He was informed that the president of the board was absent from town, and no business could be done. He attended a second time, saw some arrangements for business in the room, materials for writing were provided, and he sat himself down at the table, to wait the commencement of business in due form. He was at length asked by one of the persons in attendance, for what he waited? and he replied—"I am one of the commissioners, and I attend to assist in the business." "Oh, sir," replied the person, "I know you are a commissioner, but you are not wanted at the board; you need not attend until you are summoned." "When, then, am I likely to be summoned?" "O, sir, I cannot tell that; but whenever you are wanted, you will receive a regular summons." The gentleman, anxious to know when it was probable his time would arrive, asked when the last summons had been issued out? The reply was, "About three years ago; and the probability is, that as long a time will elapse before another summons will be issued." According, then, to the plan of promotion, in removing an hon. gentleman from the admiralty to the board of control, the political information acquired at the former by business, was likely to be lost at the latter for want of it, if the summonses were not issued oftener than they now appeared to be. This board of admiralty was now considered a sort of vested interest. When a gentleman had a seat there, he considered it necessary to abandon other pursuits. A paper had been handed to him, which was circulated in consequence of the recent appointment to the admiralty board, of Mr. W. Keith Douglas, who had belonged to a most respectable mercantile establishment. It contained, in the following words, the notification of the partners in the mercantile concern, that the hon. gentleman ceased to belong to it after his admiralty appointment. This was the circular:—"Mr. W. R. K. Douglas, being appointed to the board of admiralty, has ceased to belong to this establishment. (Signed) "Anderson and Co." But, whatever might be the consequences as they personally affected this gentleman the committee was bound to consider the question in only one point of view, and to decide it upon one principle. The general distress was so severe, that the sentiment with regard to the necessity of reduction had become universal. The hon. baronet concluded by moving as an amendment, the substitution of the sum of "55,616*l.* 5*s.* 1*d.*" for 57,616*l.* 5*s.* 1*d.*

Sir *J. Sebright* rose to give his support to the motion, and would take that opportunity of declaring his opinion, that the proposed reductions were far from corresponding with the exigencies of the crisis, and so he should continue to think, whilst there remained one useless office in existence. At the same time, he was most anxious for the preservation of public credit, and should be sorry to find the regular sinking fund so nicely balanced and adjusted as not to produce any surplus over the 5,000,000*l.* But he called on the right hon. gentleman to do what ought to be preliminary to the establishment of every sinking fund—to make all possible reductions. If, acting on this principle, they did not succeed in creating an effective sinking fund, he knew not how it was to be accomplished. He had on former occasions voted for a proposition similar in effect to this amendment. It might be said, that the reduction was extremely trifling, but they were now contending for a principle. It required no sagacity to discover, that although the lords of the admiralty might receive comparatively little themselves, yet as members of that House, they might vote away millions. Were they not subject to some influence, in their character as guardians of the public purse—of that purse, on which the continuance of their own salaries depended? If these offices were really and truly necessary, let them remain; but what man in his senses could believe, that as many commissioners were now required at the admiralty as during a period of active warfare? There was nothing that had excited a stronger feeling of discontent amongst his constituents, than the existence of these unnecessary places. He trusted ministers would reflect, that they had been able to carry a most important tax only by a majority of four; and of those who voted with them, how many must be regarded as judges in their own cause! It could hardly be imagined that they were dis-

posed to reduce or destroy a fund from which their own allowances were derived. For these reasons, though no man could be more anxious for the maintenance of public credit than himself, he called upon the committee to persevere in the work of retrenchment. So far from being actuated by any hostility to the gentlemen opposite, he rather wished them to retain their places.

Sir *G. Cockburn* observed, that every year's experience at the admiralty served only to convince him of the proper and due formation of that board. He should state the reasons that led him to think six members essential to its constitution. Some hon. gentlemen overlooked this propriety, from not being aware that it was a military board—that it was sometimes obliged to divide, and to act at a distance. Three of these commissioners might, under special circumstances, be detached to institute proceedings on board the fleet, or in one of the out-ports. He said three; for two would clearly not answer the purpose, inasmuch as a difference of opinion might arise, and there would be no immediate power of arbitration. As to the uselessness of the lay lords, as they were called, of the admiralty, he could assure the committee, that he had recently visited our dock-yards, and had received the most valuable assistance from one of them. Naval officers were not generally competent to the examination of those detailed accounts that came before the board; and it should not be forgotten, that the board were invested with a very extensive jurisdiction. If the junior lords were introduced merely for the purposes of political education, he should feel ashamed to offer a word in their defence: but the duties he had referred to evidently required to be fulfilled with diligence and authority. He should consider himself negligent of his public duty, if he did not express his firm persuasion, that the officers in question were essential to the due performance of the public service. Overlooking the occasional necessity of detaching part of the board to a distance, there was in London alone, ample employment for six commissioners. If they were to have but one lay lord, whose business it would be to be always on the spot, they would find no qualified individual who would undertake it. He ought to be, if not a civil lawyer, at least a person of general education and liberal attainments. From the time of the Revolution there never had been a less number than six commissioners. If they were not necessary, he would admit that their long continuance formed but a bad argument against their abolition. The expense, it was confessed, was trifling; and as to the influence which they afforded in that House, it was a subject with the consideration of which he meddled not—it was immaterial to his reasoning; but with regard to the number of lords, the committee should remember, that when there was a lord high admiral, he was always assisted by a council composed also of six members to whom the same salaries were paid. The business before the admiralty was, in peace as well as during war, often of great magnitude and importance. Cases of civil law presented themselves, in the decision of which, although the assistance of naval officers might be requisite on technical points, the judgment of lay lords was most essential.

Mr. *Bernal* contended, that the number of lay lords was greater than the public service required. If it should so happen that, on some rare and particular occasions, assistance might be wanted, could not that assistance be received from some other public quarter; for instance, from the lords of the Treasury? When the hon. baronet had dwelt so much on the necessity of having civilians at the board, he ought to have recollected that the board had their law agent; that cases were regularly laid before counsel, on every question of perplexity or of interest. He would give his hearty support to the amendment, because he thought that after the navy had been reduced to 119 vessels (not one-tenth of the naval force kept up during the war), it was altogether monstrous to keep up the same number of lords of the admiralty. He saw in the list of reduction a sum of 2,000*l.*, the salaries of discharged clerks; now, if the board could do without so many clerks, under what possible pretence could the original number of lay lords be retained in office?

Admiral *Sotheron* was convinced, by the arguments of his gallant friend, that six lords of the admiralty were necessary.

Mr. *Marryat* did not think that six lords could be necessary in peace. To convince the public that it was the disposition of the House to make a reasonable abatement of the public burthens, it would be of the greatest service to make the reduction now proposed.

Lord *Althorp* contended, that two lords would be as efficient in cases of inspection as three. In the few instances in which a difference of opinion might occur, the cases, particularly in a time of peace, were not at all likely to be of so important a nature as to require an immediate decision.

Sir *I. Coffin* declared himself of opinion that the lay lords were necessary to the public service. It had been suggested that a lord of the Treasury might be sent for to their assistance; but did the hon. gentleman recollect that the admiralty had a jurisdiction over life and death, and might send a warrant by the post, signifying, "shoot that officer." Suppose a case of mutiny. He was himself once attacked by 600 mutineers at Sheerness, and he resisted them all. Lord Hood and the late lord Gardner, when lords of the admiralty, had very heavy duties to discharge; but if it were found that there was not sufficient employment for the lay lords, for God's sake let them be turned out.

Mr. *Ellison* thought it the duty of every member to redeem the pledge he had given of reducing the expenditure by the abolition of offices comparatively useless.

Sir *C. Cole* felt the strongest attachment to the service to which he had belonged from his youth; but the duty he owed to his constituents compelled him to control any feeling of partiality; and to vote cordially for the motion. [Hear.] He could not see any sufficient reason for keeping up the present number of lords of the admiralty.

Mr. *Littleton* supported the amendment, because he wished to support the plan of the noble marquis—a plan of economy and retrenchment. If the votes of members did not coincide with that plan, it would be wholly nugatory. On former occasions, he had voted for the continuance of the lay lords of the Admiralty, but the altered situation of the country warranted an alteration of his vote. A strong impression prevailed in the public mind, that in the higher civil departments there was still ample room for retrenchment.

Sir *G. Warrender*, in justice to himself and to his colleagues, felt called upon to make a few remarks, upon the importance of the duties of the junior lords of the Admiralty. One of the latest duties he had performed at the Admiralty board was the administration of 300,000*l.* for Greenwich hospital—a task of great difficulty and responsibility, that had always fallen to one of the junior lords. This business alone had occupied him many hours of the day. During the first two years of his appointment, he had only been absent for two months, and in the third a visitation was made of the outports, which much engaged him. During five years he had not been out of town during the months of July, August, September, and October. In fact, the duties of the office so much interfered with his private pursuits, arrangements, and interests, that it had formed one strong ground with him for relinquishing a situation he had so long held, and with so much satisfaction. It was his conscientious conviction, that in time of peace the present formation of the board was best calculated for the public interest.

Mr. *Grenfell* said, he should give his brief but hearty support to this as well as to every other practicable reduction.

Mr. *Gooch* said, that as he had joined the small majority which last night supported the salt-tax, it became necessary for him to defend himself from inconsistency in now voting in favour of this motion. He was one of those who thought that reduction of taxation should not precede reduction of expenditure; but if at the end of the session, by the efforts of the House, the estimates were reduced, he should be the foremost to vote to reduce taxes also. He had listened to all the arguments in favour of the two lords of the Admiralty, and he was perfectly persuaded there was no necessity for them.

The Marquis of *Londonderry* said, that as he felt that the circumstances of the time called for rigid economy, and as several gentlemen whom he highly respected, had spoken in favour of the motion, he owed it to them to state why he was unable to agree to the proposition. The hon. baronet had, with the same intelligence as on a former occasion, pressed the proposition in the House on two grounds; first, on that of economy; and, secondly, on the necessity of reducing the influence of the Crown in that House. Now, as to the first point, that of economy, he did not dispute that the circumstance of the reduction proposed being small in its amount did not make it as a matter of principle of less importance. In fact, they had to balance the 2000*l.* a year proposed to be reduced, against the advantage of having the business of the navy done in the manner in which it was now

transacted. On this point, he relied for his opinion on those who were better able to form it than himself; and certainly no opinion was entitled to greater attention than that of his gallant friend (sir G. Cockburn); because, if there was a man in the House who was incapable of coming there and stating on his honour and his professional knowledge, an assertion he was not convinced of, it was his gallant friend. It had been said, that as the vice-admiral of Scotland had been omitted in the present estimates, it had been expected that the two junior lords of the Admiralty should have been omitted too. Now, the office of vice-admiral had been always acknowledged to be a sinecure; and had been abolished by the act of parliament as a lucrative office, after the vested interest of the earl of Cathcart had ceased. Now, as the earl of Cathcart had become according to law entitled to a pension for his diplomatic services, the ministers had stipulated with him that he should give up his vested right in the vice-admiralship. This shewed that where they could, his majesty's ministers were most anxious to pursue economy. Now as to the Admiralty, it was an admitted fact, that the board ought to have the faculty of dividing itself, forming one board in London and another in the out-ports. A gallant member had felt this so strongly that he would only vote for the reduction of one lord. The question was, whether the savings that might be made by the vigilance of a board, acting promptly on so vast an expenditure, would not be of much greater consequence than this reduction of 2000*l*. a year? He went along with the principle, that they should apply to the public service the same maxims which applied to private concerns. In the latter post, it was necessary to provide for absence or sickness, and the rule was applicable to the former. The motion therefore looked like economy on the surface, but it was not, in fact, economy at the bottom. It would render the possibility of the existence of two boards at the same time uncertain; and, at all events, it rendered them inefficient in their operation: all the energy and effect derived from the second board would be destroyed. He hoped the committee would give him credit when he said that he could have no motive in resisting the motion but an anxiety to do his duty conscientiously towards the public. The topic had been so repeatedly agitated that it would have been a great relief to ministers could they have concurred with the hon. baronet and have received from him the cordial acknowledgment that would unquestionably have followed their acquiescence. He might be permitted to add, that there was no individual from whom he for one should have accepted it with more satisfaction.—He now came to the second point, the endeavour by this proposition to reduce the undue influence of the Crown in this House. He begged to caution the House, in the first place, against looking at this question in the view proposed by the hon. baronet. If a feeling existed in any quarter, that the influence of the Crown was too great let hon. gentlemen look at it like statesmen—let them look at it as Mr. Burke and Mr. Dunning had done—in a fair and manly way, and with the purpose of effecting an intelligible reform. He knew that it was contended out of doors, by those whose habits and station in life did not enable them to take an extensive view of the question, that the influence was too great; if it were meant to deprive the Crown of the influence fairly and properly belonging to it, the balance of the constitution was destroyed. Mr. Burke and Mr. Dunning had both been of this opinion, and had avowed it in their projects of reform. The statesmen of the present day, however, seemed to think otherwise. They attributed all improper views to the friends of ministers, while no sinister motives were allowed to actuate either them or their friends. No country gentlemen, no members for counties, could be supposed to catch any unkind or unjust feelings from the other side of the House, or be induced to believe that perfect purity and disinterestedness were to be found only with the opponents of ministers, while sordid and base views impelled all who voted with the servants of the Crown. He never would admit, that the motives of individuals on the ministerial side of the House should be interpreted as less pure than the motives which swayed the gentlemen opposite. As many feelings of sordid interest might arise from the desire of acquiring, from the eager hope of attaining, official situations, as from the wish to keep them [hear, hear]—and certainly, looking at the days in which they lived, those situations could not be considered as very enviable. Therefore the tone of exultation in which the hon. member for Hertfordshire (sir J. Sebright) had expressed himself on that and the preceding evening might have been spared. He would pass

by the observations of the hon. member, because he did not think that they would produce any effect on the House, either directly or indirectly. He must, however, protest against this mode of reforming the constitution of this country piece-meal. Had they been fairly told that the influence of the Crown in parliament was excessive, the question could have been met on a broad principle; and he was quite sure, that if such an influence were pointed out there was virtue enough in that House to resist it. But when an assertion of that kind was made, let those who hazarded the assertion state in what the alleged influence consisted. He would venture to say, that at no period in the history of the country had there been in the House of Commons so few servants of the Crown; and he would add, that at no former period was the popular influence so great within the walls of parliament. If gentlemen advised the abolition of particular places, on the ground of rigid economy—if they pleaded the necessity of retrenchment, on account of the situation of the country—they stated facts which might be controverted. But when they came forward and supported a motion like the present, on the ground of reducing the influence of the Crown in that House, they did not act with equal candour. In fairness they ought to point out what the influence of the Crown was—they ought to trace its operation to that House; and, whatever appeared to be beyond the standard which parliament formerly recognized, that they might bring forward as fit to be reduced. He objected to this part of the argument on which the motion was founded, on the same grounds which had led him to oppose the proposition of the noble lord (A. Hamilton) for a reform of the Scotch boroughs. The noble lord had stated, when he brought forward his motion, that he had no intention of changing the constitution of the Scotch boroughs in a political sense; but when they came to examine the details of the question, it appeared to be one of the main objects which the noble lord had in view. It was this indirect mode of altering established institutions that was likely to affect the constitution itself. He might trust to the good sense of the House, if the question were looked at openly and fairly, to prevent the adoption of any mischievous proposition; but if it were attacked piece-meal, the effect must be to bring the constitution into contempt and discredit; and parliament would, in the end, cease to view it with that degree of interest and anxiety with which, had no such propositions been made, they would continue to regard it. Nothing could be more embarrassing to him than the vote he was called on to give that night. Nothing but a strong sense of public duty—a sense of what he owed to his own situation, and the confidence which belonged to rectitude of intention could induce him to vote against the motion. The amount was not, he knew, to be despised; but still it could not be considered of great moment to the country. Even in the times in which they lived, and feeling a sincere anxiety to support every reform consistent with the public welfare, he could not agree to such a motion. He could not assent to a proposition which was founded on a supposed excess of the influence of the Crown in that House, unless such an influence was proved to exist. It would afford a precedent pregnant with danger, and therefore he should vote against it.

Sir *J. Sebright* said, there was nothing further from his intention than to impute a sordid feeling to the noble lord, who was the last man in the country to whom he should attribute such a motive. He had imputed nothing to the present administration as distinguished from any other; but he had observed, that every administration had a desire to keep patronage in its hands. If a question were brought directly before the House, whether the present ministry should be removed or no, there was no man who would more decidedly vote for their continuance than himself.

The Marquis of *Londonderry* said, he had understood the hon. baronet to speak of the holders of office as giving their votes under influence.

Sir *J. Sebright* said, the holders of inferior and sinecure places were naturally under influence, though he did not mean to apply his remarks to any individual.

The Marquis of *Londonderry* said, he could not accept any compliment at the expense of those with whom he acted [hear!].

Mr. *Stuart Wortley* contended, that the influence of the Crown never was lower than at present; and if he was called upon to vote on the motion before the House, on that principle, he should vote against it. But if his vote was to be a declaration of his opinion, whether the business of the Admiralty could be done with a less

number of Lords than it at present had, he should vote for the motion of the hon. baronet. He believed it could be done with a lower number, and the circumstances of the times made it imperative on him to vote for the reduction of the public establishments. He thought the safety of the country would not be affected by the reduction of the Lords of the Admiralty, and therefore he was led to give his vote in favour of retrenchment.

Sir *M. W. Ridley* observed, that he had no personal objection to the gentlemen who now filled the situations which it was the object of his motion to abolish. He was actuated solely by a sense of public duty. As a proof that the business of the Admiralty could be carried on with fewer members, during the war two Lords of the Admiralty were at sea, and distinguished themselves greatly. He was much gratified at the support which the motion had received from the gallant member for Glamorganshire. After fighting the battles of his country, and covering himself with the glories of his profession, it was most pleasing to find him in that House combating for the best interests of the country.

The Committee divided: for sir M. W. Ridley's Amendment, 182; Against it, 128. Majority for the Reduction, 54. The division was announced, amidst loud cheering.

List of the Majority.

Abercromby, hon. J.
Acland, sir T. D.
Allan, J. H.
Althorp, visct.
Astell, W.
Astley, sir J. D.
Baillie, John
Bankes, Henry
Barham, J. F. jun.
Baring, sir T.
Barnard, visct.
Barrett, S. M.
Bastard, John
Bastard, E. P.
Beaumont, T. P.
Benett, J.
Bennet, hon. H. G.
Benyon, B.
Birch, J.
Blair, J.
Boughey, sir J. F.
Boughton, sir C. R.
Bright, H.
Browne, D.
Bruce, Rt.
Burrell, sir C.
Burrell, W.
Bury, visct.
Butterworth, J.
Calcraft, John
Calthorpe, hon. F.
Calvert, N.
Carter, J.
Caulfield, hon. H.
Cavendish, lord G.
Cavendish, Henry
Chetwynd, G.
Cherry, G. H.
Clifton, viscount
Colburne, N. R.
Cole, sir C.
Cooper, E. S.
Concannon, Lucius
Corbett, P.
Creevey, T.
Crespigny, sir W. De
Crompton, S.
Curteis, E. J.
Curwen, J. C.
Davies, T. H.
Dawson, M.
Denison, W. J.
Denman, Thos.
Dickinson, W.
Doveton, Gabriel
Duncannon, visct.
Eastnor, lord
Ebrington, viscount
Egerton, W.
Ellice, Ed.
Ellison, Cuthbert
Evans, W.
Fane, John
Farrand, Robert
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord J.
Fleming, John
Fleming, John
Folkestone, visct.
Forbes, C.
Frankland, Robert
Gipps, G.
Gooch, J. S.
Graham, S.
Grenfell, P.
Guise, sir W.
Gurney, H.
Hamilton, lord A.
Handley, H.
Harvey, sir E.
Heathcote, G. J.
Heber, Richard
Heron, sir R.
Heygate, ald.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hotham, lord
Hughes, W. L.
Hume, J.
Hurst, R.
James, W.
Jervoise, G. P.
Johnson, col.
Keck, G. A. L.
Kennedy, T. F.
King, sir S. D.
Knatchbull, sir Ed.
Lambton, J. G.
Lascelles, hon. D.
Lawley, Frank
Leake, W.
Lemon, sir W.
Lethbridge, sir T.
Leycester, R.
Littleton, Ed.
Lloyd, sir E.
Lushington, Dr.
Luttrell, H. F.
Luttrell, J. F.
Lygon, hon. H. P.
Maberly, J.
Macdonald, J.
Mackintosh, sir J.
Mansfield, John
Marjoribanks, S.
Marryat, J.
Martin, J.
Maule, hon. W.
Maxwell, J.
Mitchell, J.
Moore, Peter
Musgrave, sir P.
Normanby, visct.
Neville, hon. R.
Newport, sir J.
Newman, R. W.
Nugent, lord
O'Callaghan, J.
O'Grady, S.
Ord, W.
Palmer, col.
Palmer, C. F.
Pares, T.
Parnell, sir H.
Peirse, Henry
Penruddock, J. H.
Philips, G. R.
Powlett, hon. W.
Price, R.
Proby, hon. G. L.
Pym, F.
Ricardo, D.
Rickford, W.
Ridley, sir M. W.
Robarts, G.
Robarts, A.
Robinson, sir G.
Rice, J. S.
Rumbold, Ch.
Russell, lord J.
Scott, J.
Scudamore, R.
Sebright, sir J.
Sefton, earl
Shelley, sir J.
Smith, hon. R.
Smith, R.
Smith, W.
Smith, Abel
Smith, Sam.
Stewart, (Tyrone) W.
Stuart, lord J.
Sykes, D.
Taylor, M. A.
Tennyson, C.
Thompson, Wm.
Tierney, rt. hon. G.
Townshend, lord C.
Tulk, C. A.
Warre, J. A.
Webb, Ed.
Williams, W.
Williams, T. P.
Wilson, sir R.
Wood, Matthew
Wyvill, M.
Western, hon. H.
Wortley, J. S.
Whitmore, W. W.
Wilson, Tho.

TELLER.

Bernal, Ralph

On the Resolution, "That 31,904*l.*

1s. 6d. be granted for salaries, and contingent expenses in the Navy Pay Office, for the year 1822,"

Mr. *Hume* said, it was quite clear, from the documents which he held in his hand, that the reductions which were produced by ministers, were no reductions whatsoever, with reference to the principle which was contended for in the last session. The House would, perhaps, observe, in the first part of the estimates, a reduction of 7,620*l.*; but, in the latter part, they would find superannuations to the amount of 4,966*l.* There was, in fact, no reduction in the amount of any one salary. There was a reduction of 400*l.* for stationery, and a few other items, which made the estimate 2,664*l.* less than it was the preceding year. Now, in the last session he had been extremely anxious, that the House should consider the duties which the Navy-pay-office had to perform. On that occasion, he had read to them an extract from a report of the finance committee of 1817. In that report, speaking of the regulation of the Navy-pay-office, they say, "Your committee trust that the investigation of this subject will lead to the adoption of some more simple and effectual mode, being fully satisfied that any mode will be effectual in proportion to its simplicity and facility of execution." They went on to say—"But whatever system of examination be adopted, your committee trust that the estimates of the next year will exhibit a considerable diminution in the charges of the establishment of the Navy-pay-office. The duty of this department differs but little from that of an ordinary banker; and they are, therefore, perfectly satisfied, that the same number of persons, by which a sum of 22,000,000*l.* was received and paid in 1813, cannot be necessary for the receipt and payment of 6,000,000*l.* in 1817." The House would here see, that a reduction in the establishment was recommended in proportion to the reduction in duty. The House would recollect, that, by the pay acts, no money was kept in this office. All that was done by the Navy-pay-office was, to receive from the head of each of the other offices a check, specifying the amount of money every individual was to receive in payment. In lieu of these checks the Navy-pay-office granted others of their own, which were presented at the Bank of England, and there the demand was paid. He had endeavoured to show last session, that this mode of proceeding by check was unnecessary, and that the whole duty could be performed by half a dozen clerks instead of five times that number. And here he wished to observe, that he had heard, through the medium of the public papers, of a Mr. Tweedie, of the Navy-pay-office, who, it was stated, had left this country while in possession of a large sum of the public money—to the amount of many thousands. Now, by the act of parliament, if the duties of that office were properly conducted, no individual could at any one time be in possession of such a sum; and it was for those connected with the office to say in what manner Mr. Tweedie was enabled to leave the country possessed of public money to a large amount.—Officers who were of no use were, he observed, still continued. There was, for instance, a treasurer of the navy, but he had no money to keep [a laugh] for it was all lodged in the Bank. For many years, no reduction had taken place in this department; and, indeed, the estimate for last year was greater than that for 1819. Instead of any reduction being made in the present year, commensurate with the just expectations of the country, they had, in fact, only a reduction by way of superannuation. Individuals had retired on pensions who received 1,000*l.* less than when actively employed; but no saving was effected by a diminution of numbers. He would contend, that the amount of expense lessened was not equivalent to what the country had a right to expect.—He would now take the opportunity of stating his view of the plan of the chancellor of the exchequer. The right hon. gentleman had stated, that it was intended to impose a tax on individuals in office—5 per cent on those who had small, and 10 per cent on those who had large salaries. The country would not be immediately benefitted by this reduction; because it appeared that the sums thus levied were to be thrown into a fund, and he supposed a new office would be created, for the purpose of superintending. Some favoured individual would perhaps be employed, at a salary of 800*l.* or 1,000*l.* a year, for his labours in taking care of the fund. All these separate funds answered no other purpose than that of producing intricacy and confusion in the public accounts. He should submit to the House, therefore, that, instead of the plan proposed by the chancellor of the exchequer for forming a separate fund, they would

make an immediate reduction in the amount of the salaries. Let the salary of every individual, for instance, who now received 600*l*. be reduced, at the rate of 10 per cent to 540*l*., and the plan would be simple and intelligible. In 1813, individuals who had 1,000*l*. a year, when wheat was 100*s*. were subject to a deduction of 10 per cent for property tax, which left them a clear annual income of 900*l*. We were now arrived at a time of peace, when wheat was only 50*s*. a quarter, and yet, notwithstanding all the professions of economy which had been made by ministers, the chancellor of the exchequer intended, not to make any reduction of salaries, but merely to bring them back to the standard of 1813. This was neither fair to the country, nor conformable to the resolution of the House, and their address to his majesty, which pledged the House to make a reduction in all public salaries, proportioned to the diminished price of all the commodities of life, and the altered value of the currency. If the present salaries were reduced at the rate of 25 per cent, they would still be much larger than they were in 1813. This was a fair and intelligible proposition, and such as the country had a right to expect, after the pledge given by the House in the last session. He admitted that some of the lower salaries would not admit of this reduction; but the higher salaries ought to be reduced in that proportion. He saw no reason, for instance, why the treasurer of the navy might not perform all the duties of his office for 2,000*l*. a year. He should move, therefore, that the sum of 23,428*l*. he substituted for 31,304*l*. and he implored the House, that as this was the first step towards effectual reduction, they would adopt an amendment, of which the object was, to reduce the salaries in this department, in proportion to the present price of provisions, and the altered state of the currency.

Mr. *Robinson* was surprised at the course of the hon. member's argument, not having forgotten what took place last year, when this vote was proposed to the committee. On that occasion, the vote required was, in amount, 7,000*l*. or 8,000*l*. more than at present, and the hon. member then proposed that it should be reduced to the extent of 10,000*l*., quoting in support of his motion the opinion of the finance committee of 1817, with regard to the very ordinary nature of the duties of the office. It was true that the committee did express such an opinion, but he (Mr. R.) had taken pains on that occasion to shew, that such were the duties of the Navy-pay-office that they could not by possibility be performed by a banker. The treasurer of the navy had not only to pay the bills presented, but to decide whether they ought to be paid; and it was evident that this in a service like the navy involved no inconsiderable intricacy. Now, he asked the House where was the resemblance between those duties and the duties of a banker, who had merely to ascertain that the check presented to him bore the signature of the party entitled to order payment?—The treasurer of the navy was by law compelled to discharge functions of a most responsible nature. He might be brought before a court of law for refusing to pay an individual claim, which, if established to the satisfaction of the court, threw the whole expense of the court upon him. There were, besides, many other duties attached to the office, closely connected with the well-being of the navy. For the last thirty years the whole mode of paying the navy, including the half-pay and pensions, had been totally altered; and pay departments existed in many out-ports and distant parts in correspondence with the principal office. All this he had stated last year, and what he considered as so unintelligible in the hon. member's conduct was, that he then admitted, that after that candid statement, he could not feel himself justified in pressing his amendment. All that related to the inspection of seamen's wills, devolved upon his (Mr. R.'s) office. Last year he had invited the hon. member to come to his office, and he had pledged himself to convince him (which was no easy matter), that the business could not be done in any other office. He now repeated that invitation; and he assured him that if he came, he would spend three or four of the dullest days he ever spent, within the walls of that office. The manner in which the business was conducted, gave the highest satisfaction to those who were the objects of its peculiar care, and who would cruelly suffer, if at the suggestion of the hon. member, the whole system were to be torn down.—The hon. gentleman, however, said there was no reduction. But the fact was, that they had abolished three distinct branches of the department, and removed 14 or 15 individuals. Some of these were heads of

offices, in the trust of money. Now he wished to know if that was nothing. It was with the greatest difficulty the business could be done now; and nothing but a desire to act in the spirit of the resolution of last session would have induced him to go so far. With respect to Mr. Tweedie, it was true he had gone off with a portion of the public money. The hon. gentleman had said, that no money ought to have been in the hands of the cashiers. But there was a great number of bills to be paid on a certain day; some to a very trifling amount, even below 1*l*. For the conveniency of paying those bills, a certain sum must be got from the Bank. Several of the bills might not be presented for payment that day, and the money would consequently remain in the custody of the cashiers. It was undoubtedly true that the person alluded to had succeeded in carrying off money. But there had been a surprisingly small loss for many years. Since 1786, 400,000,000*l*. had been paid in this office, and only 65,000*l*. had been lost during the whole of that time by default. Of the money thus lost 30,000*l*. had been recovered. Did the hon. gentleman mean to say that a cashier ought to be deprived of all emoluments from his office? He must find security to the amount of 4,000*l*. If he should have any property of his own, which, God knew, was not often the case, no sale could take place while he held the office. If, then, by cutting down the salary, all inducements for undergoing such obligations were taken away, they would destroy all chance of the duties being properly performed, or of finding proper security. Some of those persons had been in office 30, 40, and even 50 years. Would they now take their bread from them? He knew not what the feelings of the hon. gentleman might be, but he wished to God he had to communicate with the individuals whose services were dispensed with under the late regulations. He wished he was obliged to hear the statements which many of them had made to him of their personal situations; then, perhaps, he might feel, in its full extent, the calamity which was visited upon numbers of families. With respect to the superannuation list, the first name that appeared upon it was that of Mr. Fennel, who had served 49 years in active employment. Many of the individuals concerned had large families, and their services entitled them to expect a grateful return from their country. He could not believe that the people of England would say that they were not in a situation to remunerate their deserving and worn-out public servants. The hon. gentleman had said, that the treasurer was greatly overpaid. He would not speak of the person who now held the office (himself); but, with respect to the office he would say that 3,000*l*. was not too much. In the first place, the treasurer had received the same sum for 150 years. In the second place, he was, on account of his pecuniary responsibility, placed under great difficulties. Did the hon. gentleman know, that the treasurer was under a constant pecuniary risk, and could not make a title to any part of his property? He could tell a case, in which it had come under his own knowledge, that actual pecuniary loss had been incurred in consequence. Many years, too, after he might have ceased to hold the office, he might not obtain a *quietus*, and could not sell an acre of land, or make a title to any property. To extend, then, such a reduction to the persons to whom the hon. gentleman had alluded, would be most cruel, most unjust, and most unfair.—If it were the wish of the House, however, to have the vote diminished, he would ten thousand times rather they would take his whole salary, than encroach upon those of the persons under him, who looked up to him for protection, in the possession of what they had so hardly earned, and the enjoyment of which he hoped would always be secured to them.

Mr. *Ellice* rose, for the purpose of remarking on the difficulty of the situation in which the right hon. gentleman and others were placed in the present state of the law. He did not think, by any means, that the salary of the right hon. gentleman was too high. For his own part, he would not accept it with the responsibility attached to it. His only object in rising was, to draw the attention of the House to that particular subject. He thought such an alteration should be made in this oppressive law, as would remove from gentlemen in office some of the difficulties they were now burthened with.

Mr. *Bennet* was ready to admit that his right hon. friend must feel it a painful duty to suit the salaries of those whom the public employed to the circumstances of the times. But, in doing this duty, his right hon. friend would, no doubt, re-

collect the hundreds and the thousands whose property had been sold off for the payment of taxes. Families in manufacturing employments paid taxes out of their 7*s*. a-week. Persons employed in husbandry paid taxes out of 6*s*. a-week. His right hon. friend ought never to forget what the people suffered out of doors. He was not pleased with 25 per cent, or 10 per cent, or any per centage. It was the duty of ministers to look to every office, and to apply, not a vague and general scale, but to reduce some 50 per cent, and some not at all. Ministers seemed to feel no sympathy for the subaltern in office, when they deprived them of 10 per cent of their income by a property tax; they reserved their commiseration for the time when provisions, and almost every article of consumption, had diminished from 30 to 40 per cent. With regard to the office of his right hon. friend, the committee of finance of 1817, had stated, that the duty of his right hon. friend differed little from that of ordinary bankers. His right hon. friend defended the rate of his salary, and had given as a reason why it should not be reduced, that it laid him under great pecuniary penalties, and imposed great restraints on the disposal of his property. He (Mr. B.) disapproved of these restraints, and would gladly allow his right hon. friend the disposal of his property, provided he would accept of 2,000*l*. instead of 3,000*l*. of salary. In his opinion, all the high offices of state were too well paid. He agreed with Dr. Franklin, that the English government ought not to take so much from the people in order to fill the pockets of placemen. He hoped, therefore, that a general reduction would take place of all the salaries and emoluments of office, beginning with that of the king, and extending through those of the chief ministers of the Crown down to the lowest agent of government.

The Marquis of *Londonderry* defended the plan of the chancellor of the exchequer for reducing salaries. When it was before the House, it would be found that no office had been spared, but that all had been revised, and most put on a new scale. It did not proceed on the principle of taking 25 per cent, 10 per cent, or any other per centage on salaries; but, after a laborious investigation of each particular office, it fixed its emoluments at a proper scale.

Lord *Althorp* suggested that, as the plan alluded to by the noble lord would be brought forward on Tuesday, the best way would be to postpone the farther consideration of this subject till Wednesday. He would therefore move, that the chairman do report progress and ask leave to sit again.

Mr. *Hume* concurred in the motion for adjournment. The retrenchment proposed by ministers could, he said, neither relieve the pressing distress, nor satisfy the just demands of the country. The right hon. gentleman had spoken of the wounds inflicted on his feelings, in communicating to the gentlemen in his office the unwelcome intelligence that their services would no longer be required, or that their emoluments were to be reduced: but, had he no feeling for the people who paid those salaries, and suffered more severe privations? He did not yield to the right hon. gentleman in his sympathy for reduced public servants with diminished incomes; but his sympathy was not exclusively confined to the government offices. He felt for the ruined farmer, the distressed manufacturer, the people burthened with taxes, the landlord without rent, and the labourer without wages. With such a picture of the public misery before them, ministers were guilty of a dereliction of their public duty if they did not increase the means of relief by all the retrenchments in their power. They ought to come down to the House with a proposition to reduce the civil list 25 per cent. He had heard with regret in another place, a recommendation to country gentlemen to reduce their rents as the only remedy to the existing evil. But, when they reduced their rents, were placemen to retain their salaries at their full amount, and was the exorbitant civil list to be kept up? The honour of the Crown did not require the costly extravagance with which it was supported; and from all that he had heard of the heart of his majesty, he was convinced that he would be the first to propose retrenchment—that he would be the first to order a reduction in the trappings of the royal establishments—that he would be the first to propose a curtailment of useless splendor, if truth were allowed to reach his ear, and if he could see or learn the extent of his people's sufferings. He, therefore, hoped that the noble marquis would come down on Tuesday with a proposition to reduce the civil list, at least 25 per cent, and all government offices in proportion.

The committee divided on lord Althorp's motion of adjournment. Ayes 37, Noes 107. A second division took place on Mr. Hume's amendment; Ayes 28, Noes 99. A third division took place on a motion of adjournment; Ayes 23, Noes 94. On the motion for agreeing to the original resolution, the committee again divided; Ayes 94, Noes 21.

List of the Minority.

Althorp, lord	Hume, J.
Bury, lord	James, W.
Bennet, hon. H. G.	Lushington, Dr.
Bernal, R.	Moore, P.
Barrett, S. M.	Maberly, J.
Concannon, Lucius	Palmer, F.
Crespigny, sir W. De	Ricardo, D.
Davies, col.	Robarts, A. W.
Ellice, E.	Wood, alderman
Hobhouse, J. C.	Williams, W.

HOUSE OF COMMONS,

Monday, March 4.

ILCHESTER GAOL—PETITION OF MR. HUNT.] Mr. Alderman *Wood* said, he had a petition to present from Mr. H. Hunt, confined in Ilchester gaol. It was not his intention to advert to any of the facts stated in the report of the commissioners respecting the cruelties practised upon this individual. He would confine himself to some recent cruelties which Mr. Hunt said had been inflicted upon him. These were contained in a letter which he had received that morning from him. The hon. alderman here read some extracts from Mr. Hunt's letter, from which it appeared that a fresh instance of persecution had occurred by order of the rev. Dr. Colston and another of the visiting magistrates. They discovered that there was a small door, through which Mr. Hunt had access to a small yard, to which allusion was made in the report. This door Mr. Hardy, the gaoler, had suffered to remain open; but as soon as the magistrates discovered it, they ordered it to be shut up. Mr. Hunt farther stated, that in consequence of being shut up every night, and using candle-light from 5 to 12 o'clock, he had got a great weakness in his sight, and was nearly blind of one eye. A short time back, his own surgeon and the surgeon of the prison had to perform an operation on his eye. He wished to have this concealed from his family; but it somehow reached their ears, and his son, and a young lady, his ward, applied, in a state of distraction, to be admitted while that operation was performing. They were refused admission, and Mr. Hardy, the gaoler, observed, that even if Mr. Hunt were dying, he dared not admit them, without the consent of the magistrates. After this operation, he had been ordered constantly to foment his eye with warm water. Finding that he should frequently want assistance, he asked to be allowed to have a nurse; but this was refused, unless he accepted the services of one of the female convicts. The assistance of his son and his ward were also denied him. He was thus locked up from six in the evening till five in the morning; the door was then opened, and some warm water given, and it was again shut, till the usual time of opening, when his surgeon came to see him; and, during this time, he continued to suffer the greatest pain. Surely, the sentence on this individual was of itself severe enough, without aggravating it by such cruelties. He would only add, that all the statements which he had received from Mr. Hunt had turned out to be correct. He was glad to learn that on Saturday last an order had been sent down by the high sheriff of the county, to have Mr. Hunt treated with more lenity than he had recently experienced. He trusted this benevolent disposition might not be frustrated, as that of a former high sheriff had been.

Mr. *Dickinson* said, that Mr. Hunt would now be placed in the same situation in which he was before the regulations complained of.

Mr. *Bennet* deprecated the cruelty of not allowing Mr. Hunt to be attended by his son or ward. What the motive was for such conduct he could not tell; one of the visiting magistrates was a preacher of the gospel; he was certain, however, that his conduct was not, in this instance, conformable with its precepts. The prisoner could not say, in the emphatic language of scripture, "I was sick, and in prison, and you visited me not," but he might say, "I was sick, and in prison, and you persecuted me."

Mr. *Hobhouse* expressed a hope that the attention of government would be turned to the case of Mr. Hunt, with a view to his removal from that gaol altogether, if they should not go farther. When Mr. Hunt was sentenced, it was stated, that Ilchester gaol was chosen as a matter of favour to Mr. Hunt. It now

seemed, however, that it was no favour, and he trusted, therefore, that government would order his removal to some other prison. Government alone could effectually assist him, and not the magistrates.

Mr. *Scarlett* said, that at the time of Mr. Hunt's sentence, Ilchester gaol was considered as one of the best regulated in the kingdom. It had since turned out, certainly, that this was not the fact.

Mr. *Wynn* denied that there was any prerogative in the Crown to transfer a prisoner under sentence from one gaol to another. It would be a most dangerous precedent; for if it were done in mitigation, it might also be done in aggravation.

Mr. *Denman* observed, that although there was no prerogative to transfer prisoners under sentence, yet it had been done by consent in many cases.

Mr. *Lockhart* thought, that a very injudicious mode had been adopted in this case. He would admit, that neither the sheriffs nor the magistrates, had any authority to aggravate the sentence of a prisoner; but no inquiry on this subject had been gone into by the House. If the petition had been intrusted to his care, he would have moved that it be referred to a committee; and he was satisfied that if any cause of complaint was proved to exist, the House would not suffer it to continue.

Dr. *Lushington* conceived, that a great deal of the inconvenience which Mr. Hunt had suffered, arose out of a misconception on the part of the magistrates. From the report of the commissioners, it was evident, that in the course of nine months they had made nine distinct orders, regarding the manner in which visiters were to be admitted to Mr. Hunt. That circumstance was of itself sufficient to prove that they had been in doubt as to the conduct which they ought to pursue towards him; and being so in doubt, they unfortunately resorted to a mode of remedying their doubts, which absolutely aggravated the disorders they were called upon to check. By availing themselves of a sanction contained in an act of parliament, they had bound up their hands, and left themselves no discretion whatsoever. He adverted to that circumstance to remind such magistrates as had seats in that House, that they ought not to submit to the judges a series of definite regulations for the internal management of prisons, without being certain that no exceptions would arise to them. It never was intended by the legislature, that the judges should lay down a system of prison discipline: from the very nature of the thing, it was evident, that much of the discipline in every prison, must be left to the discretion of the magistrates. He, therefore, trusted, that the magistrates would, at an early period, place before the judges a new set of regulations, to do away with the inconvenience arising from the present set.

Mr. Alderman *Heygate* said, he had read the report of the commissioners with the deepest regret, and thought that a case had been made out by evidence, to induce the House to look at that prison with peculiar jealousy. He was no advocate for Mr. Hunt; but he was entitled, like every Englishman, to justice, and not to be visited with a severer punishment than the law and the judges intended. He was confident it could not be the wish, either of the government or the magistrates, to countenance proceedings like those to which he had alluded; and he trusted means would be taken without delay to prevent the possibility of their recurrence.

Ordered to lie on the table.

NAVY FIVE PER CENTS BILL.] Mr. *Grenfell* wished to ask the chancellor of the exchequer a question, regarding the remuneration which the Bank of England were to receive for managing this transaction. Had the right hon. gentleman made any compact with the Bank, regarding that remuneration? If the Bank were to have the same remuneration as it had for managing loans, it would be entitled to 800*l.* out of every million which passed through its hands. When they recollected that the sum of money now to be dealt with, was somewhat more than 150,000,000*l.*, they would see that any per centage would afford the Bank a considerable profit.

The *Chancellor of the Exchequer* said, that no agreement had yet been made as to the rate of remuneration the Bank should receive for its services, in the accomplishment of the proposed plan. The degree of trouble it would have, must, of course, depend upon the number of dissents: the question of remuneration must, therefore, be left open to future consideration. He certainly thought it but just and equitable, that a clause

should be inserted in the bill, entitling that corporation to some compensation for their trouble.

Mr. *Grenfell* agreed in the last proposition of the right hon. gent., but it was fit to take a little into view the great profits the Bank derived from the public. For the management of the national debt, as it was called, which meant only the payment of the half-yearly dividends, the Bank received 270,000*l.* a year. Independently of this, they had always in hand an average balance of four millions of the public money, for which a service was performed so very inadequate to the interest of this money, that he was confident it might be safely performed by private bankers for 10,000*l.* a year.

Mr. *Hume* said, that during the whole war, the Bank had taken a great deal too much out of the public purse, and, in the present state of the country, it ought to lend its aid gratuitously. The Bank of Ireland charged nothing for what it did, while the Bank of England obtained not less than 340,000*l.* a year. He was of opinion, that 150,000*l.* would more than remunerate the Bank for all the trouble to which it was put for the service of the country.

The House having resolved itself into a committee on the bill,

Mr. *Grenfell* moved, the omission for the present, of the clause empowering the lords of the Treasury to remunerate the Bank. Some terms ought first to be made with the directors, and on a future day the chancellor of the exchequer might be prepared to state them.

The *Chancellor of the Exchequer* said, that the circumstance of the degree of labour being as yet unascertainable, was, in his opinion, a reason for adopting the clause, subject to the future approbation of parliament.

The committee divided: For retaining the clause, 76. Against it 39.

Army Estimates.] The House having resolved itself into a committee of supply, to which the Army Estimates were referred.

Lord *Palmerston* said, that the estimates which he had now to bring forward would shew, that in the army very considerable reductions had taken place, and very considerable savings had been made. The reductions amounted in men to 12,304, and the saving, that is to say, the total decrease of charge in 1822, amounted to 537,849*l.* 13*s.* 1*d.* On the land forces (exclusive of India) a reduction had been made of 499,817*l.* 12*s.* 6*d.* There were three modes of reduction which had suggested themselves. 1st. a reduction of regiments. 2dly. A reduction of men. 3dly. A reduction of troops or companies in each regiment. The latter expedient had been approved of, because it was found to effect a greater saving in point of charge, and also because it left the army more effective than any of the other modes could have done, and it did not interfere with the principle of rotation as applied to regiments abroad. There were two regiments of cavalry reduced intirely; two troops in each remaining regiment, and two companies in each regiment of foot. In the staff the reduction of charge, as compared with the charge of 1821, amounted to 13,571*l.* 12*s.* 6*d.* In the public departments, the reduction of charge amounted to 12,009*l.* 6*s.* 8*d.* The reduction of charges for medicines 9,284*l.* 5*s.* 8*d.* Volunteer corps 9,153*l.* 6*s.* 8*d.* In consequence of the unsatisfactory and very disturbed state of Ireland, it was found necessary to increase the force in that country, which made a difference in the estimates of 42,000*l.* In the Royal Military College, the saving amounted to 3,233*l.* 6*s.* 9*d.* In the army—pay of general officers, the increase was 8,356*l.* 8*s.* 1*d.* In the full-pay of retired officers, 15,234*l.* 19*s.* 4*d.* In the half-pay and military allowances 51,640*l.* 19*s.* 2*d.* In the foreign half-pay, the reductions amounted to 6,395*l.* In the in-pensioners of Chelsea and Kilmainham hospitals to 6,853*l.* 17*s.* 9*d.* But in the out-pensioners of these hospitals there was an increase in charge, of 34,591*l.* 10*s.* 7*d.* That increase was greatly to be accounted for by the reduction of the army, and the consequent increase of pensioners. In the Royal Military Asylum there was a reduction of charge, of 6,076*l.* 12*s.* 4*d.* In the widows' pension, the increase amounted to 3,283*l.* 14*s.* 9*d.* In the reduced adjutants of local militia, the reduction of charge amounted to 19,819*l.* 10*s.* In superannuation allowances, the increase amounted to 3,761*l.* 17*s.* 4*d.* In the royal veteran battalions the reduction of charge amounted to 67,144*l.* 7*s.* 6*d.* The total amount of reductions for the last year amounted to 537,849*l.* 13*s.* 1*d.* It was fair to observe, that that reduction had been made on a sum of 3,500,000*l.* Allusions had been made some nights since, to the

finance committee which sat in 1817. That committee established the charge for the military service at 8,500,000*l.* The total charge for the present year amounted but to 7,494,000*l.*, including a sum of 40,000*l.* for the yeomanry of Ireland. If that force had not been called out, of course there would have been additional reductions to the amount he had stated. There was an arrangement on foot with the East India company, by which it was proposed, that the company should pay 200,000*l.* towards the maintenance of the force there. If that arrangement should be completed, the sum necessary to be voted would amount to 960,000*l.* less than the amount of the estimates last year. The amount of charge for the present year, as compared with the year 1817, was less by a sum of 1,200,000*l.*; and the total expence of the army, taking into consideration the extraordinary expenditure, amounted to nearly a million less than the estimate of the last year. The noble lord concluded by moving, "That a number of land forces, not exceeding 68,802 men, (exclusive of the men belonging to the regiments employed in the territorial possessions of the East India company) commissioned and non-commissioned officers included, be maintained for the service of the united kingdom of Great Britain and Ireland, from the 25th Dec. 1821, to the 24th Dec. 1822."

Colonel *Davies* said, he was prepared to show, that the proposed reductions were not conducted with a view to economy, and that if instead of two troops or two companies from each regiment, a certain number of entire battalions were reduced, the saving to the country beyond what was now proposed, would be 111,000*l.*; as it was evident, that while the same number of men were reduced, there might be a much greater reduction of the officers, who formed so large a part of the expense of a regiment. He intended, therefore, to propose a reduction, in addition to what had been proposed, of four battalions of infantry, which would increase the numbers of the proposed reductions from 12,000 odd, to 15,000 men in addition to the staff corps and the waggon train, of which he should come to speak presently. He was sensible that in proposing so small a reduction, affecting too only the infantry, he was making a sacrifice of principle to expediency; for why, he would ask, was there to be maintained now 3,000 more cavalry than in 1792? In 1792, there were only 5,000 cavalry; there were now 8,300, so that making the largest allowance, there might be now a reduction of 1,500 or 2,000 cavalry. Much had been said of the increase of our colonies, as calling for an increase of our military force; but as to the cavalry, there was no pretence for this increase, as this description of force was never employed in the colonies. In the year 1792, the estimates were proposed half-yearly; and so far from its being thought by Mr. Pitt, as had been lately asserted, that the establishments of 1792 were on too reduced a scale, the estimates for the latter half of that year reduced the military force by 6,000 men. The force in the colonies was then only 13,200 men, being 1,700 men less than those at present employed in the colonies which we had then possessed. In the new colonies an enormous force was maintained. In Malta, there were 2,000 men; in the Ionian islands there were 4,000 men. And why was this force necessary? Because, instead of giving the people a good government, we had driven them to desperation by acts of oppression. In the Cape of Good Hope we had 2,000 men. Why, it might be asked, had we no colonial militia? But, even on the supposition that we could have no militia, the garrison at the Cape of Good Hope was double what was necessary. In the island of Ceylon we had also 2,000 men; but there we had 3,600 colonial troops. Why had we, with such a colonial force, so large a body of regular troops? It was true, that one of the regiments in Ceylon was at the charge of the East India company; but, as that regiment was as much as was necessary, it was unnecessary that we should be at any charge on account of that island. He might, therefore, safely say, that the establishments were too large in Ceylon, the Cape of Good Hope, the Ionian islands, and in Malta; so that there was ample room for the farther reduction which he had proposed. He had said nothing of the West India islands, where the establishments were too large by some thousands of men. These establishments were defended on account of the change created by the independence of South America. That change, however, rather conduced to the safety of our colonial possessions, as the South Americans would form a counterpoise against the North, of whom they

would be more likely to feel jealous than of this country.—He now came to the waggon train, which was set down in the estimates at a charge of 6,295*l.* In the whole army there was, in time of peace, nothing more preposterous and unnecessary than this corps. When the troops were in active service, he granted, the corps was highly useful to facilitate the movement of the army: but now they were scattered about the kingdom, and attached solely to the forge-carts. This corps was only military in name. They were, in fact, only waggoners attached to the army, subject indeed to martial law but not to discipline; so that while there were waggoners in the country there would be no difficulty in raising them. He should propose to reduce this corps. The staff corps, too, which amounted to 558 men, stood at a charge of nearly 25,000*l.*, whereas the ordinary charge for such a force would not be more than 11,000*l.* As to this force, it was stated by colonel Brown, that it was useful when extensive field works were carried on, and in cases of emergency. But there were now neither field works nor emergencies. This corps was as numerous now as in 1810, in the heat of the war. He should propose its entire reduction, which would be a saving of 24,581*l.* Another subject was one which he felt it invidious continually to recur to—connected as he was with the military profession; he meant the two majors who were now attached to each regiment. He should suggest, however, once more, that the second major of each regiment should be reduced, on this ground, that they had not been appointed till 1796, when they were so appointed on account of the contingencies, and the increase of numbers from 1,000 to 1,200. Yet now the numbers were reduced to one-half, and contingencies were so much less frequent, but the second majors remained. By their reduction 35,000*l.* more would be saved. The charge for recruiting was also one on which great saving might be effected. The total charge was 58,782*l.* The nett expense after deduction of the money paid for discharges, 45,000*l.* This was for an army of 68,000 men, while in 1819 the sum paid was about 40,000*l.* on an army of 80,000 men: including the sum paid for discharges, so that the increase of charge was 18,000*l.*, though the numbers to be recruited for were reduced from 80 to 68,000. This was a sign of the greatest profusion in management. There was one corps in which the recruiting was managed without any expence, except that of bounties, as the parties reported immediately to the head-quarters of the regiment. This arrangement might be adopted with respect to the whole army. As to the regiments on foreign service, the recruiting officers could report to the commander at the dépôts. The recruits too were twice charged, as borne on their respective regiments, and as recruits on their way to the regiments. By the change he proposed, the charge of 35 superintending officers would cease. The saving in this department might be 27,859*l.* He saw a charge in the present estimates for wounded officers. Now, though he should be the last to object to any remuneration to officers really wounded, he saw no probability of cases arising in the present year to call for the vote in question. This amounted to 1,200*l.* He now called attention to the riding establishment at Pimlico. He did not believe there was a cavalry officer in the House, who would stand up and defend this establishment. It was, in fact, a mere job. Whatever the advantage of the new system of riding taught there might be, three years ago all regiments of cavalry had large detachments there who were thoroughly instructed, and were now quite competent to teach their comrades. If any thing more were necessary, one competent officer, with the title of riding-master general, to visit the regiments would be quite sufficient. This would be a saving of 1,450*l.* The total reduction he should propose would be 176,415*l.* under the following heads:—Four battalions in the colonies 80,000*l.* staff corps 24,581*l.*; waggon train 6,295*l.*; second majors of every regiment of cavalry and infantry 35,000*l.*; recruiting establishments 27,889*l.*; riding establishment at Pimlico 1,450*l.*; sum charged as remuneration for officers wounds, as we are now carrying on no hostile operations 1,200*l.*; total 176,415*l.* The hon. member called strongly on the House to support him in his proposed reductions, and not to listen to the tales of impracticability which they would hear from ministers: Last year, in like manner, the ministers had told them, that if only a part of what they had since done in the way of reduction were done, the consequences would be too dreadful to be contemplated. The members who had believed these asser-

tions had been exposed to the just reproaches of their constituents. He agreed with hon. members who said, that the reduction of expenditure should precede the reduction of taxation, but he now called on them to support the work of retrenchment, in the same spirit as they had done in the case of the two lords of the Admiralty; as he trusted they had not effected that reduction as a clap-trap, to avoid the necessity of greater and more important savings. He concluded by moving an amendment to reduce the numbers proposed from 68,802 to 65,502 men.

Lord *Palmerston* stated, that the increase of the colonial force, even now, was only 1,678 men, of which number 588 came under the head of New South Wales; and no one who was aware of the great change which had taken place in that colony since 1792 could suppose that an increased force of 588 men was disproportioned to the new state of things. In the same way, it must at once be perceived that an increase of force was necessary in the American colonies. But, notwithstanding the change of circumstances, the number of men in the colonies was, on the whole, less than in 1792. In that year, the force abroad was 17,798 men; at present it was estimated at 14,965; being a reduction of nearly 3,000 men. The total amount was less considerable than in 1792, and where the number appeared greater, the circumstances sufficiently accounted for the increase. Now, the proposition of the hon. colonel was, to deduct from the force in the colonies 3,600 men. The hon. colonel had forgotten what had been already done, and what he and his friends had endeavoured to effect last year. Last session they proposed to reduce our military establishment 10,000 men. Government had in the interval not merely made reductions to the amount of 10,000, but of 12,300 men. The hon. gentleman opposite had thus obtained a reduction of 2,300 men more than they demanded last year, and still they were dissatisfied. Then came the hon. colonel and proposed a reduction of 3,000 more. The appetite of the hon. gentleman, it must be confessed, was not easily gratified; for he not only was dissatisfied with the reductions, but the mode in which they were effected. If, however, his plan had been followed, of reducing by regiments rather than by companies, the saving would have been at least 50,000*l.* less. Now with respect to the staff corps, the hon. gentleman miscalculated the expense, and underrated the utility of this establishment. The staff establishment formed a corps of science, a corps of education—a corps not easily formed at first, and with difficulty restored if reduced. The body of officers consisted of men who had made the sciences connected with their profession their study, and who had acquired a knowledge and skill which could not always be found upon an emergency. The men of this corps were all artificers, who, though not like the officers, scientific, and highly educated, possessed manual skill and practical knowledge, which rendered them extremely useful in our foreign possessions. They were almost all abroad, and the advantage which their education gave them in directing works which could not be executed by the natives, might be easily calculated. Now, with respect to the waggon-train, he could not allow the justice of the hon. gentleman's observations. The corps was small, and was so necessary to the cavalry, that they could not move without it. The hon. gentleman had observed, that though useful in time of war, they could be of no service in time of peace. To that he would reply, that so long as we had cavalry, we must have some provision for their moving conveniently from one part of the island to another; and this they could not do without having a train like that in question. It was reduced now to a mere *nucleus*, on which to form an effective corps when necessary. The continuance of the establishment of second majors was disapproved of by the hon. gentleman; but he had miscalculated the saving which their reduction would occasion, and the source of hope and encouragement which their appointments held out to inferior officers. The saving accruing from their reduction, instead of being 35,000*l.*, as he had stated, would not amount to more than 13,000*l.*, if allowance were made for their half-pay. Considering the casualties which might occur on foreign stations two majors did not seem more than were necessary for the service of the regiment; and, at any rate, the establishment should be maintained as a reward to captains who were long without promotion. If the post of second major were reduced, a meritorious class of individuals would feel acutely the disappointment of their professional hopes. The hon. gentleman's observation with regard to the recruiting

service admitted of an easy reply. In the first place, the sum which he mentioned as paid for recruiting service, included items which he did not consider; namely, expenses for marching, and charges for purchased horses: the whole amount of the expenses which properly fell under the head of recruiting did not exceed 9 or 10,000*l.*; and, in the second place, the plan of recruiting proposed by the hon. gentleman would be much more expensive and less effective. The present establishment was cheaper and more effective than any that had been proposed to be substituted. The hon. gentleman had expressed some surprise to see a charge for wounds in the estimates; but the fact was, officers were still arriving from abroad, aud advancing claims for wounds received during the war. The riding establishment was more useful and less expensive than the hon. gentleman would allow it to be. So long as we had cavalry forces, they must be taught to ride; and great inconveniences would be prevented by having a uniform system for the whole of that part of the army. The plan proposed by the hon. gentleman, of instructing a certain number of officers, who might carry the knowledge of riding to the different regiments, like the subordinate instructors in a Lancasterian establishment, would not answer the purpose. The expense, so far from being 4,000*l.*, would, on the reduced scale, not amount to 1,000*l.*

Sir *H. Vivian* was of opinion, that reductions in the army had been carried as far as they possibly could. With regard to the waggon train he thought it desirable to keep it up as a skeleton; for it was well known to be very inefficient at its first establishment, and it was some time before it was brought into a state of discipline. As to the riding establishment, he considered it of vital importance that a uniform system of riding should be adopted throughout the army. He could not conclude without expressing his gratitude to ministers for having adopted a suggestion which he had made in the last session, for placing majors-general of the army on full regimental allowance instead of half-pay.

Mr. *Hume* began by pointing out the curious predicament in which the gallant officer and his friends stood, who last year had supported ministers in condemning reduction, and this year declared their satisfaction that such reduction had taken place. What was the reason on which they justified this change? It had been said, that the diminution of force in the colonies was the cause which admitted of this reduction. But what was the fact? Why, there had been almost no diminution of force in the colonies between this year and last, and yet our army was to be reduced from 81,000 to 68,000 men. Thus inconsistent were the reasons which were adduced to justify an adherence to ministerial projects. The difference between the number of troops in our colonies last year and this, which amounted only to a few hundred men, was stated as a ground for being satisfied with reduction to the amount of 12,300*l.* The whole of the saving on the vote before the House was 558,000*l.* The noble lord had accused his hon. friends of being too prone to discontent, because they only asked a reduction of 10,000 men last year, and ministers had reduced 12,300. Now, the noble lord should have done him (Mr. H.) the justice to remember, that he had made a motion for the reduction of 20,000 men, and that he had been induced to withdraw it only by the persuasion of his hon. friends, who thought that a motion for 10,000 was more likely to meet with success. He had formerly gone back to 1792, as a period of comparison; and he could not help again pressing on the attention of the committee the necessity of following the example then left us. At that time, our military force, rank and file, was 36,363 men, and including officers 45,000. Now, what was the reduced vote of this year?—68,000, including 8,000 officers. We had then 36,000 rank and file. We had now 60,000. The marine corps then amounted to 8,000. Now it amounted to 15,000. The noble marquis had lately stated that this corps was employed as a land force, and, consequently, might be added to the land force when comparing the numbers of the army at different periods. Here, therefore, there was an addition to our army of 7,000 men over the marine corps of 1792. This was surely too much. We had nine or ten regiments locked up in the Ionian islands, which, with a better government of those islands, might be withdrawn. We had 12,000 men in the new colonies, a great portion of which might be reduced. In reckoning our military force at home, the militia, the constitutional force of the country, had been strangely overlooked by the noble lord. That force amounted to 63,000 men, and, together with the

volunteers, cost the public between 500, and 600,000*l.* per annum, a sum sufficient for the pay of the rank and file of our army in 1792, exclusive of Ireland. The militia, the volunteer corps, the marines, and the artillery, were all additions to our military establishment, and ought to enable us to reduce the regular force in proportion. These species of force were either useful or they were not. If they were of use, they ought to have been brought into the noble lord's account; if they were not of use, the sum which they now cost the country ought to be saved. For his own part, he would rather pay for these constitutional troops, and take means to render them effective, in preference to keeping up the present amount of our regular military force. So absurd and defective was the present system, as regarded the militia, that instead of keeping serjeants to instruct the troops, he believed one half of the money appropriated for maintaining them was spent in drums, fifes, and music. He would ask the House, what necessity there could be for maintaining a greater number of regular troops now than in 1792? He was not aware of any circumstance which required an increased military force, except, perhaps, the present situation of Ireland [hear! from lord Palmerston]. The noble lord said "hear!" but he forgot that he had embodied 3,000 men for this service. The disturbances in Ireland, were, in fact, nothing more than riots. These were, indeed, attended with bloodshed, and with many melancholy and distressing circumstances; but they had not that character of union which belonged to an insurrection. Taking the whole of our military establishment, he could show that it would bear a reduction of 20,000 men; and, instead of the small and inefficient saving about to be effected by ministers, it would be quite consistent with every purpose of safety to make such a reduction as would save half a million of money. The reduction which he meant to propose would, in effect, produce a saving to that amount. The noble lord had said, that it would not be consistent with the safety of the colonies to reduce the colonial establishment; but, surely, there were not the same apprehensions with regard to that of the household—a part of our military force which was the most expensive, and which had been greatly augmented since 1792. At that period, the whole amount of the horse and life guards was 7,500 while last year it amounted to 17,000. The House might look at the difference of these amounts, and say whether there was not a large surplus which could be disposed of for the relief of the country? The life guards in 1792 amounted to 672; this year they amounted to 1032; the cavalry in 1792 were 4,376, now they were 5,916; the horse guards and other parts of the establishment were 2,909 in 1792, and now they amounted to 5,104. Why, he would ask, should there be a larger number of these troops now than there was in 1792? They were not efficient to the defence of the colonies, and they were the most expensive troops in the pay of government. One life-guardsman was as expensive as two soldiers, and a common cavalry-man was equal in expence to two-thirds of a life-guardsman. Any one of these cost the country full as much as did one of those junior clerks who had been paid off, although the state of the accounts showed that more of these clerks had been discharged than was perhaps consistent with the regular discharge of public business. Rather than have discharged so many of these, would it not have been better to reduce the number of life and horse guards, who really were of no use but to attend upon the sovereign? Of such troops we now had 9,500, when 6,000 would be fully sufficient; for it was not necessary that we should have guards in such numbers stationed at the West India docks, the gallery in Pall-mall, the Opera-house, and the British museum; as if it were necessary to have military to protect the arts and sciences, when it had been always understood, that of these a military force was the enemy. He thought that a reduction of 360 men might be effected in the guards alone. But though he was prepared to show, that there was a disposable surplus of 20,000 men, he did not mean to propose the reduction of that surplus. He would leave a disposable surplus of 10,000 to meet contingencies, and reduce the other 10,000*l.* He would now advert to the staff, which was in fact the most expensive establishment of them all, and which, if diminished in the same ratio with the reduction which he had suggested in the numerical amount of the army, would operate a very extensive saving. If the men alone were estimated at the rate of 33,000*l.* per every thousand, then the

reduction of 10,000 would produce 330,000*l.*, and the reduction of the staff, in the same proportion, would give a half more, which would make a total saving to the public of about half a million; and this too, having a surplus of 10,000 of the line above the number in 1792, independently of militia, yeomanry, and other corps, which could be rendered efficient, if necessary, for the safety of the country. He could, indeed, see no harm in reducing the establishment of the line to the establishment of 1792. In the colonies there was a great increase; and yet, making allowance for the Ionian islands, the number of troops left a much greater proportion to the extent of the colonies than in 1792.—He would trouble the House with one observation relative to the mode in which ministers proposed to effect their reductions of the army. There were three ways by which this might be done—the reduction of corps, the reduction of companies, and the reduction of men in each; and he might refer to the statement of the finance committee to show that the reduction proposed by ministers was not the one which, even in its opinion, would be the most beneficial. Previous to 1792, there was no uniform system of discipline: every regiment then following its own; so that though they were efficient enough as separate corps, they could not act together, and therefore were unserviceable as an army. Now, however, since the introduction of an uniformity of discipline, they could act in larger masses, and thus far, the new organization was better than the old. Even then, however, the number of corps had been reduced; and surely there could be no good objection to a reduction of the number of corps now. Ministers, then, would do little service to the country by a simple reduction of the number of men, if they did not put the reduced army in a state more consistent with the necessities of the country. If they were to reduce the staffs, and other establishments, there would be a saving of 71,000*l.* in every 8,000 men. Hence, although the same numerical establishment of men was kept up, as much would be gained by this reduction of the number of corps as would compensate for the additional pay which had been granted since 1792. He was at a loss how to reconcile the reduction of the corps to 550 men, with the pretended reduction of the expence; for if they had made the numerical reduction which he proposed, and kept the corps at 8,000, they would have effected a saving of upwards of 500,000*l.* Now, why should they have reduced the corps to 550, when, by the other mode, there would have been a clear saving in the staff to the amount of 200,000*l.*? The mode of reduction was, therefore, extravagant. They talked of keeping up skeleton regiments; but of what use were skeleton regiments for the performance of regimental duty? Ministers might say it was difficult to make any reduction in the number of regiments; but, in his opinion, nothing would conduce more to the efficiency of the army. The plan proposed by ministers was, therefore, the most extensive, and at the same time the most expensive. This reduction was objectionable both in its extent and in its mode: in neither the one respect nor the other was it the best for the country. If they were to do any good at all—if they were not to mock the country in the midst of its distress—then they ought to reduce, not the number of men merely, but the number of corps. The duke of York had reduced the number of regiments from 110 to 94. He had done this in 1796, when the country was involved in war. It had been found advantageous even then; and could it fail to be productive of advantage now? The present establishment was too large; and the proposal of ministers was not what the circumstances of the country demanded. They could easily dispense with 10,000 of the present army, and so re-model the remainder as to produce a saving upon the whole of half a million a year. He would mention one particular instance:—there was no necessity for our keeping up 5,000 men in Canada, when the Americans were diminishing their establishment. Considering the ease with which the reduction that he proposed could be effected, and still more the circumstances of the country, he could not see how the House could refuse him its support. They would bear in mind, that every 1,000 men reduced was a saving of 33,000*l.* besides the half of that sum more for contingencies. The hon. member concluded by moving, that the reduction instead of being only 5,000 men should be 10,000.

Colonel *Wood* understood the hon. gentleman to have said, that a considerable portion of the sums voted for the staff was laid out on bands of music, instead of being expended in drilling the recruits. All he could say to this was, that strict

orders had been given that the musicians attached to a corps should be restricted to one drummer to two companies. The band was the most difficult part of a regiment to keep in order, and there was no disposition to have an unnecessary number of musicians. The hon. gentleman had spoken of the disorders in Ireland as if they amounted merely to a little riot. He could only say, that he should be very sorry to witness such riots in the country in which he lived. In this instance the hon. gentleman had taken a view of the subject very different from that taken of it by his friends near him, who had thought it desirable that martial law should be proclaimed in Ireland, which would not have been recommended, to put down a little riot. The hon. gentleman had stated the duke of York to have reduced 110 regiments to 94, in 1796; but that very circumstance arose out of the inconveniences previously experienced from the reductions having been made on that principle which the hon. gentleman seemed disposed to prefer. New corps had been raised early in the war; and these, when brought into the field had been found inefficient.

Sir *J. Newport* said, he would not have risen upon this question, but for remarks which had been made respecting the state of Ireland, in which he could not concur. His earliest wish had been to get an examination instituted into the state of Ireland, and a remedy applied to the evils which distracted that country. But there was a limit to investigation as to other things, and Ireland was in that state when investigation could not be instituted, and when, not riot, but insurrection, required the strong arm of the law. It was impossible for him to regard as a riot what was open insurrection, and a defiance of all law and authority. The government of Ireland had been most scandalously deceived by men who ought to have had correct information. He alluded to the information given respecting Belfast and Mountrath. Most dreadful outrages and horrid assassinations had been committed. A Roman catholic clergyman had been attacked, because he had from the altar recommended peace and good order. Could he doubt that this was a state requiring additional military force? He trusted that these dreadful disorders would pass away, but it would be by the vigorous execution of the law in putting down violence. It would be imperious afterwards to look into the causes of the disturbances. He never would concur in thinking that they ought not to be looked into and probed to the bottom. But while insurrection prevailed, he hoped no hon. member would seem for a moment to express any terms of mitigation. Having always been the advocate of peace and examination, he was now obliged to say that tranquillity must be first restored; and then he would urge a thorough, complete, and radical investigation of the evils of which Ireland complained, with a view to the application of a full, safe, and adequate remedy for them.

General *Gascoyne* said, he would certainly vote against the proposed reduction. Honourable members talked of the state in which our army had stood previous to the late war; but, let it be remembered, that very heavy objections had been taken upon the breaking out of that war, to the condition now so lauded. The very small force which England brought into the field had been a source of astonishment and of displeasure to her allies. He (gen. G.) being on service in one of the brigades sent out upon that occasion, the brigade was so weak, that an Austrian general actually took it for a battalion, and asked whether all the British battalions were of equal force. The gallant member contended for the necessity of maintaining such a force as should have an eye to the northern as well as to the southern parts of that country; and concluded by declaring, that the seeds of war existed in every part of Europe, and that appearances were such as to justify measures of precaution. The hon. member for Aberdeen went on, taken up wholly by his figures and marking out reduction here and there in the army, without being possessed of the smallest military knowledge himself, but denying that an officer could know any thing at all of the matter. He would tell that hon. gentleman, whatever his profession might be, whether it was in the way of slaughtering or of healing, that in this instance his calculations were far from being correct.

Mr. *Wilmot* said, he felt himself bound, in the outset of his speech, to protest against the expediency of any farther military reduction. Before, however, he stated the reasons of his dissent from such a measure, he would make a few observations upon what had fallen from the hon. member for Aberdeen. With regard to the reduction already effected in the colo-

nies, the hon. member had stated it as not exceding 400 men. If the hon. member meant to persist in that assertion, he (Mr. W.) could satisfy the House that a more monstrous assertion had never been put forth; for the reduction actually effected in the colonies amounted to 4,535 men. Upon the estimates of the present year, article "Stations abroad, India excepted," the numerical force, officers and non-commissioned officers included, stood at 27,943. The very same article, in the estimates of last year, gave, as the number of men, 32,467. Now, this reduction, the hon. member called, a reduction not exceeding 400 men. The very items, however, of the alteration should be stated to the House. In the old Leeward islands there had been a reduction of 370; in Jamaica and Honduras, 513; in North America, including Canada and the Bermudas, 863; at Gibraltar, 384; in the new Leeward islands, 208; at the Cape, 228; at the Mauritius, 192; at St. Helena, 1,492; and at Ceylon, 1,034; in New South Wales there was an increase of 153; in Africa 30; and in Malta and the Ionian islands 625: but the saving, he repeated, upon the whole alterations amounted to 4,500 men. So much, then, for the question of reduction effected; and now to the question of farther reduction proposed. If the hon. and gallant member who had alluded to the state of the Cape would look to the character of the population of that settlement, and to the nature of the predatory hordes by which it was surrounded, he would scarcely think the number of troops at present maintained too great. With respect to Ceylon, considering the immense area of that country, its recent subjugation, and the reduction already effected, both of regular and local force, it was impossible to think of farther alteration without endangering the security of our possession. The increase of force in Malta and the Ionian islands had been ascribed to the operation of a certain course of policy. As the time would come, and at no very distant period, when that subject would be fully investigated, it would not be proper for him to introduce it upon the present occasion; thus much, however, he would say, that there was no subject on which the public had been more extensively and systematically deluded. Confining himself, however, to the colonies, simply, he had shown the House that the calculations of the hon. member for Aberdeen were upon a wrong principle; and he defied that hon. member to contradict his statement. When it was seen that the old colonies were even at a lower establishment than in the beginning of 1792, he did trust that the House would reject, and with disdain, the proposition of the hon. member for Aberdeen. He did confess that he felt annoyed when the government was accused of having insulted the country by its offers of reduction. Mr. Burke had said, that the age of chivalry was past, and that of calculators had succeeded it. He really thought that the hon. member in his love for calculation, forgot sometimes the true interests of the country. He could not think it possible that that hon. member could wish that England should forfeit her rank among the nations of Europe, and that by reducing her power of resistance she should invite acts of aggression. He could not believe that the hon. member had lost sight of the maxim—*Si vis pacem para bellum*; but whatever might be the opinion of the hon. member on that point, he (Mr. W.) entreated of that House to consult petty savings less than the real and prospective advantage of the nation.

Mr. *Bennet* thought, that before the House resolved to keep up so large a military establishment as that which was proposed, they should consider whether the country was able to pay its creditors. If the public interests were more imperious than the payment of the debt, then that ought to give way; but he did not see how, under existing circumstances, an army of so large an amount was a matter of imperious necessity. He fully concurred in all that had been said, as to the present state of Ireland; but he could not forget that the wretched condition of that country was the effect of the maladministration of the gentlemen who sat opposite to him. Ireland had enjoyed the full benefit of coercion; she had had insurrection acts, martial law, and fresh troops in abundance; but nothing to improve, to relieve, or to tranquillize her. The state of Ireland brought to his mind every thing connected with [illegible] and bad government. The hon. mem[illegible] sisted that a reduction of 10,000 [illegible] safe and easy. The cavalry and the guards could afford to lose 2,000. Of 17,000 men in India, 3,000 might be reduced: 5,000 might be taken at once from the force of England. He admit-

ted the present exigency of Ireland, and therefore it was, that he confined his vote to the reduction of 10,000 men. But for that circumstance, he should have insisted upon taking off 20,000.

Captain *O'Grady* disapproved of the mode in which economy had been carried into execution, with regard to the army in Ireland, and instanced the case of two regiments which were disbanded in Limerick, at the very time when rebellion was exhibited in the most unequivocal form. He regretted to observe also, that a military system was now acted on by the insurgents. The insurrection in Ireland could not be put down without force: and, therefore, though there many grievances in that country which ought to be redressed as soon as possible, the military force ought not to be too hastily reduced. He agreed that considerable reductions might be made in the civil departments, and the retired allowances.

Mr. *Warre* thought, that under all the circumstances, the reduction of 10,000 men which took place last year was sufficient; but in differing in opinion with his hon. friend the member for Aberdeen, he felt nothing like "disdain," and thought that expression might have been spared on the other side of the House.

Lord *Althorp* agreed with the hon. member for Shrewsbury that 10,000 men might be reduced, with perfect safety to the country.

Mr. *Calcraft* said, that the reduction of the army being brought to the point for which he had contended during the last six years, he could see nothing in the situation of the country, either at home or abroad, to require any farther reduction. If he did not think so, there was no man more willing than he should be, from constitutional and economical reasons, to support the cause of reduction. So far from conceiving the strength of the army too great at present, he did not know from what part of this country a disposable force could be sent to Ireland if occasion required it. His hon. friend had talked of the inability of the country to pay its troops. But surely no man, whatever his love of retrenchment might be, could look fairly at the situation of England, and say that she could not pay the troops that were necessary to her security. Such an opinion was a desponding opinion; an opinion which exaggerated the distress of the country, and in which he could not concur. The country not pay its troops! Why, we had a sinking fund of 5,000,000*l*. It was said, "Apply that fund to the reduction of the taxes;" but, surely, the safety of the state was more important than the reduction of taxes. He by no means bound himself as to what he might do hereafter, when Ireland should be brought into a more tranquil state; but, under existing circumstances, he could not vote for the reduction contended for. He agreed, that all reductions should be made by companies, and not by regiments, that we might be enabled to raise an army more readily in any case of emergency. It was the worst economy in the world to place our armies in a state which would render it difficult to build them up again.

Sir *H. Hardinge* contended for the necessity of keeping up in time of peace, a force necessary to recruit our army in time of war, and insisted particularly on the expediency of making such a provision with respect to the waggon-train—the greatest military authority in the country having given a decided opinion to the same effect.

Sir *R. Fergusson* expressed his conviction, that the atrocities committed in Ireland ought to be put down by a military force, and he would prefer the employment of the regular troops to that of the resident yeomanry and volunteers, as being less under the influence of local prejudices. He would, however, support the amendment on the ground of the necessity of limiting our expenses. With respect to our foreign possessions, all he should say was this, that we ought to look at home first, and if we found that we could not keep our colonies but at an expense which the country could not bear, we ought to give them up altogether.

The committee divided, first, on Mr. Hume's amendment: Ayes, 51. Noes, 196. A second division took place on colonel Davies' amendment: Ayes, 58. Noes, 184. The original resolution was then agreed to.

List of the Minority.

Althorp, lord	Davies, Colonel
Bernal, R.	Denison, W. J.
Barrett, S. B. M.	Denman, T.
Benyon, B.	Fergusson, sir R.
Birch, J.	Fitzgerald, lord
Bright, H.	Foley, J. H.
Blake, sir F.	Graham, S.
Bury, lord	Guise, sir W.
Byng, G.	Hobhouse, J. C.
Coffin, sir I.	Honywood, W. P.
Concannon, L.	Hughes, Colonel

Hume, J.
Hutchinson, hon. H.
James, W.
Johnston, colonel
Kennedy, T. F.
Lambton, J. G.
Lushington, Dr.
Maberly, J. jun.
Martin, J.
Maxwell, J.
Maule, hon. W.
Monck, J. B.
Moore, P.
Newman, R. W.
Nugent, lord
Philips, G. R.
Price, R.
Ricardo, D.
Robinson, sir G.
Russell, lord J.
Rice, T. S.
Scott, J.
Smith, A.
Stanley, lord
Smith, W.
Sefton, earl
Stuart, lord J.
Wharton, J.
Webb, colonel
Whitbread, S.
Whitbread, W. H.
Wilson, sir R.
Wyvil, M.
Wilkins, W.
Williams, W.
Wood, Alderman

TELLER.

Bennet, H. G.

HOUSE OF LORDS,

Tuesday, March 5.

AGRICULTURAL DISTRESS.] Lord *Erskine* said, he had fifteen petitions to present, complaining of Agricultural distress, and he could not help thinking that the petitioners were peculiarly entitled to their lordships' attention, inasmuch as they had failed in their endeavours to obtain any remedy from the other House. His lordship quoted the first paragraph of the report of the agricultural committee of the House of Commons of last session, acknowledging the reality of the distress of the agricultural interests, and that the receipts of an arable farm would not pay the expences of cultivation, which must be defrayed out of the capital of the farmer, and then referred to page 16 of the report stating, that it would be for the legislature to consider at a future period of establishing protecting duties, instead of the present system. Thus the evil was immediate, and yet the committee agreed in postponing the remedy. Now, what would be said of a physician who, after telling his patient that he was in great danger, and could not in all probability live a week, should afterwards tell him, that he would at a future period take his case into consideration? The petitioners did not complain of taxation, though they felt its pressure as well as others; but the fact was, that all that retrenchment could do would not be enough to relieve them; they wanted to be protected like our commerce and manufactures, and no more. He had heard, that it had been proposed in the revived agricultural committee to reduce the protecting duty from 80*s.* to 67*s.*; although foreign corn could be imported at 35*s.* surely, when the farmers were nearly ruined when the protecting price was 80*s.* it was a strange way of relieving them to reduce it to 67*s.* What did their lordships look to but their rents? But if this system was to go on, that House might in a short time be called the house of paupers instead of the House of Lords, for it would be impossible to obtain any rent. He had read the works of Mr. Webbe Hall, and he must say that that gentleman had been much misrepresented; his object being merely that the agricultural interests of the country should have the same protection as our commercial and manufacturing interests. He agreed with those who urged the necessity of retrenchment. Their lordships must carry retrenchment as far as possible, but he did not think it possible that any retrenchment which could be made would be sufficient, if they let in foreign corn. A suspicion existed, that foreign corn had been introduced under the name of Irish; and he hoped the committee would pay attention to this point.

Ordered to lie on the table.

HOUSE OF COMMONS.

Tuesday, March 5.

SEDITIOUS MEETINGS AMENDMENT BILL.] Mr. *Denison* rose, to move for leave to bring in a bill to amend the act of the 57th of George III., for effectually preventing seditious meetings. The object of his bill was, to lessen the expenses attendant upon actions instituted to recover damages done by riotous mobs. To show how necessary it was that the present system should be amended, he would state the expenses that had been incurred upon some actions which were tried at the two last assizes for Surry. Eleven actions were brought to recover damages to the amount of 69*l.* 7*s.* 6*d.* the taxed costs upon which amounted to the sum of 1,106*l.* 9*s.* 10*d.* The costs upon four other actions for the recovery of 7*l.* 6*s.* 5*d.* amounted to 501*l.* 6*s.* 10*d.* The taxed costs upon one action for 18*s.* amounted to 112*l.* 9*s.* 6*d.* The remedy he should recommend was, that the party receiving the injury should at once render an estimate of the amount to the overseer and two neighbouring magistrates; that appeal should lie to the quarter sessions; and that the treasurer of the county should be enabled to levy a rate on the hundred for the amount.

Mr. *B. Wilbraham* said, he had intended to introduce a measure having the same object as that now proposed. He fully concurred in the propriety of the bill. The evil complained of arose out of the necessity of bringing the action before the higher courts, which, as the law now stood, could not be avoided.

Mr. *Scarlett* thought, there might be some mode of investigating the actual damage, so as to prevent imposition, without the verdict of a jury, which would save the unnecessary expense, and upon which the magistrates might assess a rate upon the county.

Mr. *Lockhart* said, it was a great misfortune that in a well-regulated country the costs of an action of this sort should be twenty-two fold the amount of the damage done. He trusted that this measure would be a precedent for other bills, which might save the people from being law-ridden as they now were—their best blood being sucked up by this vampyre. It was the duty of parliament to devise means by which the people should have justice brought to their doors without this enormous expense.

Leave was given to bring in the bill.

Scotch Juries in Criminal Causes.] Mr. *Kennedy* rose, to move for leave to bring in a bill to alter the mode of chusing Juries to serve on Criminal Causes in Scotland. It was well known, that the justiciary, or criminal court, sat in Edinburgh at all times of the year, except while it was going the circuits, which occurred twice a year. To this court all matters of a criminal nature might be referred. Besides this, there was another, under the jurisdiction of the sheriff, who was not an officer chosen as in this country, but a magistrate appointed by the Crown, with the power to administer justice in certain civil and criminal cases. In all cases, except those of high treason, the lord advocate proceeded by a process similar to our *ex officio* information, there being no grand jury. A jury of fifteen persons decided upon the guilt or innocence of the accused; but in this decision, it was not necessary that they should be unanimous, a majority of them being sufficient. On the day of trial 45 persons appeared, from whom the jury was afterwards selected. Now, the measure which he intended to submit would not object to the manner in which those 45 persons were brought into court, but to the mode in which the 15 who were to try the case were selected; namely, by the presiding judge. They were taken by fives and fives; and being thus selected, they sat down to try the case. The parties accused were not allowed to object to the selection as such; for that would be to impute an improper motive to the judge, which would not be admitted. The only objections which could be made on the part of the accused were certain legal ones. They might object to persons against whom a conviction for any crime had been recorded; to parties as bearing spite and malice against the accused; and to persons who were deaf or dumb, or who were under age. All these, no doubt, were very proper objections, where they could be made, but he believed it rarely occurred that they were made. The alteration which his bill would make was small in appearance; but he considered it of import in principle. It was, that instead of the selection of 15 being made by the presiding judge, it should be by ballot out of the 45; and he would also propose that both to the accused and the prosecutor, certain challenges should be allowed. This alteration was not his own: it was modelled on a measure which had been recently introduced into Scotland, in juries appointed to try civil actions. This was enacted by an act of the 55th of the late king, and, after an experience of four years, it was made permanent by the 59th; which was a proof that it was considered a salutary measure. The hon member concluded by moving for leave to bring in the bill.

The *Lord Advocate* did not rise to offer any objection to the introduction of the measure, but begged of the House not to allow itself to be prejudiced by the statements which the hon. member had made, for he should be able to show, on the second reading, that a more uncalled-for and unwise measure could not be devised.

Leave was given to bring in the bill.

Agricultural Distress.] Mr. *Scarlett* presented a petition from Peterborough, complaining of the distressed state of Agriculture. He fully concurred in one statement of the petitioners; namely, that a great portion of the distress arose from the return to cash payments. He did not now mean to dispute the propriety of a measure of which he had been a warm advocate, but he stated the fact as

it was—that prices had been reduced by the increase which that measure gave to the value of the currency. The increase of the burthens of the people had been most enormous. He could prove, even admitting the argument of his hon. friend (Mr. Ricardo), that the increase in the taxes since 1819 amounted to 9,000,000*l.* This was made up by the increased value of the currency, and the three millions of taxes imposed in 1819. Taking the average of several years, it would be seen that the farmer had now a far greater portion of his produce to pay in taxes. He would not maintain, that the low price of commodity was not in itself a sufficient cause of the existing agricultural distress; but this he would maintain, that a superabundance of produce could not of itself have produced it. Supposing the farmer were to pay all the demands made upon him—for instance, his rent, tithes, and taxes—not in money, but in kind—would it not be clear that, in such a case, an abundance of produce would be of considerable advantage to him? How, then, could it be maintained, that abundance of produce, under the existing state of things, was the chief cause of the evils by which the agriculturist was now oppressed?

Mr. *Ricardo* said, it was true, that, if the produce of the land was divided into certain proportions, every party would be benefitted by an abundant crop; but his learned friend having come to that conclusion, left his argument there, instead of extending it a little farther. Now, he would ask his learned friend whether, if the quantity of commodity were excessively abundant, that was to say, the double, treble, or quadruple of an ordinary crop, it would not be a cause of poverty to the agriculturist? He maintained that it would be so; for the farmer, after having satisfied the consumption of himself and family, would find, upon going to exchange the surplus of his commodity for other commodity, such a competition in the market as would compel him to dispose of it upon very low terms; and thus abundance of produce would be to him a cause of distress. It was true that, from the alteration of the currency, the evil had been aggravated; for it was clear that it rendered it necessary to sell a greater quantity of corn to answer the demands of the government and the landlord. But he now contended, as he had at all former times contended, that, up to a certain point, for instance, 10 per cent, great loss had been derived from the change in our currency; but that the rest of the distress was to be attributed to the increased quantity of produce.

Ordered to lie on the table.

ARMY ESTIMATES.] Mr. Brogden brought up the resolutions of the committee of supply. On the resolution, "That a number of land forces, not exceeding 68,802 men, be maintained for the service of the United Kingdom, from 25th Dec. 1821 to 24th Dec. 1822."

Mr. *Hume* said, that having last night endeavoured, but in vain, to persuade the committee to reduce the number of men for the service of the year, he now wished to put upon record the opinion which he entertained regarding the large amount of the present standing army. He was not anxious to prevent troops from being sent to Ireland to put an end to the disturbances which existed there: quite the contrary; he wished those disturbances to be put down with all speed, whatever might be the original causes of them. The only difference which existed between himself and the members of his majesty's government was, that he thought that there were already in Ireland troops enough to effect that object. The way he made that assertion out was this. By the estimates that had been presented to the House, it appeared that in Ireland there were 18,397 men, and that in England, including reliefs, there were 22,462 men, making a total of 40,859 men. There were also three veteran battalions, which increased that total to 43,550 men. Now he contended, that such a number of men, exclusive of the assistance to be derived from the artillery, who amounted to 7,000 men, from the marines, who amounted to 8,000 men, and from the troops in the colonies, exclusive of the East Indies, who amounted to 27,943 men more, was more than sufficient to quell the disturbances now raging in Ireland. The noble lord in his statement had omitted to take any notice of the artillery, marines, and veteran battalions, and had stated the amount of the forces at home and in the colonies at 68,802 men. Now he maintained, upon the declaration of the noble marquis opposite, that as the marines were performing the duty of regular soldiers in the Mediterranean, and the veteran battalions the same at home, they ought to be included, in future, with the artillery in the account of the regular army; and, in that case, the military

force of the country would amount to 86,493 men, instead of of 68,802 men, as stated by the noble lord. From that number he wished to take 10,000 men. That was the extent of the proposition he had made, and for making it he had been taunted with inconsistency by hon. gentlemen opposite. He maintained that, upon the necessity of reducing the army, he had always been consistent. The noble marquis opposite had said, that any saving, however small, that could be made without detriment to the public service, ought to be made without delay. Now, he had kept that declaration of the noble marquis continually in his view; and, upon seeing that the expenses of the army in the year 1822 amounted to between seven and eight millions, whilst in the year 1792 they did not amount to more than 2,331,149*l.*, he had become convinced that the difference of expenditure in the two years was greater than ought to be permitted, He had therefore proposed a reduction of 10,000 men, by which a saving of half a million would be gained to the country. The hon. gentleman who was under-secretary for the colonial department had called the saving which he had proposed a petty, paltry saving, and had implored the House upon that account to reject it with disdain. He did not know whether the being a few weeks in office had produced such an effect upon the hon. gentleman as to make him conceive the saving of half a million a petty, paltry saving; but he did know this, that the hon. gentleman had told the House, that the hon. member for Aberdeen, in his petty, paltry public savings, wished to sacrifice the honour and safety of the country. Now, he trusted that no proposition which he had ever made was deserving of the disdain of the House. Indeed, he thought that the term "disdain" was an improper term for one member of parliament to use towards another: and if it were used for the purpose of deterring him from examining the financial arrangements of the country, he treated it with that contempt which he trusted he should always treat such propositions as talked of half a million being a petty, paltry saving. Having said thus much to the hon. under-secretary, he must now express a hope that the gallant general, the member for Liverpool, was in his place, as he had a word or two to say to him regarding the insinuation which he had thrown out against his (Mr. Hume's) profession. My profession, continued Mr. Hume, is as well known as that of the gallant general; and if I were to ask him, what part of his professional conduct got him the regiment which he now has the honour to command, he would perhaps find more difficulty in answering the question than I should, were he to ask me to what measures my success in life was chiefly owing. [Loud cheers from the ministerial benches.] Hon. gentlemen may cheer as much as they please; but when allusions are made to the private history of any member, it is done for some mean, improper purpose, and not from a sense of public duty.—He was sorry to say that there were several gentlemen on his side of the House, who viewed a standing army with as much delicacy as the gentlemen opposite, and who were inclined to look upon it as the best protector of our rights and liberties. He would, however, ask those gentlemen whether, if 53,000 men were a sufficient force for the country in 1792, 76,000 men were not sufficient in 1822? He had said nothing of the considerable increase which had taken place since the former period, in the number of our militia regiments, and our volunteer and yeomanry corps. After this statement, he thought he had said enough to convince the House, that 76,493 men would be sufficient for the service of the year. He would not dictate to ministers. He would merely take from them 10,000 men, and leave them to decide from what force they were to be taken. He should now move an amendment, by leaving out "68,802," and inserting "58,802" instead thereof.

Mr. *Wilmot* thought, that the hon. member for Aberdeen would have done better if he had made the speech with which he had that evening favoured the House, on a former evening in the committee, and when the hon. member for Liverpool was present to repel the attack which had been made upon him. He begged leave most distinctly to assert, that he had never made use of the expressions "petty, paltry savings," whatever might appear to the contrary in those historical fragments of the day of which they had recently heard so much. Neither had he said that the proposition of the hon. member ought to be rejected with disdain. He would show the House, by a repetition of what he did say, that he could not have used any such language. The hon. member for Aberdeen had said,

that the reduction effected in the colonies did not exceed 400 men. Now, he, (Mr. W.) had shown, that the forces in the colonies last year amounted to 32,467, and in the present year to 27,943, which proved a reduction of from 4 to 5,000 men. He had then said, that if the hon. member took no more care in his other financial assertions than he had done in that which he had exposed, he should feel it right to reject his propositions in future with disdain.

Mr. *Hume* explained how the mistake, which he allowed he had made respecting the amount of the reductions in the forces of the colonies, had arisen. It was from having found the forces differently stated in two different papers: in the one, they were only stated rank and file; in the other, their officers were also included. He assured the House that he never made any statement without deliberation.

The amendment was negatived, and the original resolution agreed to.

HOUSE OF COMMONS.

Wednesday, March 6.

MOTION RESPECTING HER LATE MAJESTY'S FUNERAL.] Mr. *Bennet* commenced by saying, that, pursuant to notice, he rose for the purpose of bringing under the consideration of the House the circumstances attending the Funeral of her late majesty the Queen. In doing so, he did not think it necessary to make any apology. True it was, that when an individual so little qualified, either by his situation or abilities, undertook such a task, some apology might appear necessary; but, the importance of the subject, the deep interest which the people of this country took in it, and, above all, the honour and character of England which it involved, forced it upon him as a duty; and whatever various motives might be ascribed to him; he under this consciousness, fearlessly undertook it. Towards the latter end of the month of July last her majesty was seized with that illness, which, after some days of suffering, terminated her existence on the 7th of August. To him, it was matter of surprise, indeed, that she so long held out, under the accumulated wrongs and injuries which were heaped upon her; under the sort of persecution to which she had been exposed; but, above all, under that hope deferred which maketh the heart sick. Recollecting these circumstances, he repeated, that he for one was surprised she had not sooner sunk into the grave. But the force of mind—the fortitude of character—which she possessed, and that high spirit which belonged to her family, and no branch of which had it in a higher degree than herself, enabled her to contend so long, and with such a noble power of endurance, against multiplied calamities. During the whole of her illness, no decent respect was paid to her by the servants of the Crown. No inquiries were made respecting her health by any of his majesty's ministers; and he believed, that of all the branches of the royal family, his royal highness the duke of Sussex was the only one who took any notice of her existence. After several days of pain, her majesty's sufferings and her existence terminated. As soon as the melancholy event had taken place, notice was given to his majesty's government; and in an interview with one of them, one of the executors acquainted him with the will which her majesty had made, with all her testamentary bequests, and her last wishes. He (Mr. B.) held in his hand a copy of that will, of which there was only one part to which he felt it necessary to call the attention of the House. In that part her majesty desired that within three days after her decease her body might be conveyed to the tomb of her ancestors. The house, perhaps, would be anxious to learn the reason which had induced her majesty to make such a request. It was not, he could state, that she wished to have the ceremony of her funeral hurried over, or that she did not wish her body should remain longer than three days in England—that country which had been her stem and stay in all her afflictions, and her great support in the height of adversity—no; another motive influenced her mind. At the time when a communication was made to her majesty by an honourable friend of his, who attended her, that her life was in danger, and that in all probability she could not survive long, she thanked him for the communication in her kind manner; and with a simplicity and spirit which all who were acquainted with her knew her to possess, she replied, "I have no wish to live, and am not afraid to die." But to return to that part of the will in which her majesty desired to have her body conveyed to Brunswick within three days. When told that it was not likely she could recover, her majesty said, "It

is not likely that I shall die to day, or perhaps to-morrow; but if I should survive three days, it will bring me to the anniversary of the day, on which I quitted England seven years ago"—that day which, she had too good reason to remember, when, contrary to the warning and advice of her best friends, she left this country. It was a very natural association, that she should fix upon the same day which had been the source of all her subsequent calamities, as the one which might terminate all her earthly sufferings. As soon as his majesty's government had notice of the queen's death, they undertook to defray the expenses of her funeral. Lord Liverpool said that her request respecting the removal of her body should be complied with, and that the funeral should take place as soon as all convenient preparations could be made. His learned friend (Dr. Lushington), anxious to learn what preparations were to be made for the reception of her majesty's body at the other side of the water, was referred to a gentleman who might be considered the deputy of count Munster in this country; and the answer which he received was, that Stade was a very inconvenient route, and that there would be much difficulty in procuring horses and carriages for the progress of the procession. His learned friend, under these circumstances, found it would be impossible for the executors to carry on the funeral without knowing what arrangements were made for its reception, and particularly in a place where such inconveniences were likely to arise. Finding that government did not intend to grant any delay, the executors, with one accord, agreed to give up all management of the funeral, and leave it entirely in the hands of government. On Tuesday, August 14, the funeral left Brandenburgh house. He (Mr. B.) was present. He saw with his own eyes what passed, and heard the protest read by his learned friend against the removal of the body, because no fit preparations had been made. He (Mr. B.) complained first, that at Brandenburgh-house there was not that due solemnity which befitted the rank of the illustrious deceased. He had seen the funerals of many of the nobility of this country; and he would not say, that there was more splendor, for that perhaps was not a proper term to apply, but he would say that there were greater tokens of respect paid to the decease of any of them, than was shown by those who superintended the funeral of her majesty. The preparations were scantily and badly arranged, and it was not until the morning of the funeral that the hanging of part of the house with black was finished. It was, he believed, a privilege claimed by every member of the royal family, and always accorded, that the body should be borne to the hearse by the yeomen of the guard; and he believed that in no instance before that of her majesty was this ceremony omitted. But here were no yeomen in attendance to perform this rite: and her majesty's body was conveyed out of Brandenburgh-house on the shoulders of the undertaker's men. This might, perhaps, be considered a matter of no consequence. In the eye of the philosopher, certainly, it was none; but it was of consequence when taken as a proof of the neglect with which her majesty had been treated—when taken as a proof of the insults from which even her remains were not to escape—when taken as a proof of the determination to follow up the insults offered to her when living, by indignities to her body when dead. The funeral moved on from Brandenburgh-house, under the heaviest rain which he ever remembered; but, notwithstanding that it poured down in torrents during the whole of the morning, crowds of persons lined the streets in every direction. In every place were to be seen numerous groups, not of what were usually termed mobs, but of the middling classes dressed in deep mourning, anxiously waiting to testify their respect for their departed Queen. Every house was filled and every avenue was thronged, with persons of this description. He spoke of what he saw until the funeral arrived at Cumberland gate; and he was certain that he should be borne out in his account by the statement of every person who witnessed the procession, that never was there any instance of a public funeral, where greater or more unfeigned marks of respect were paid to the deceased than were on this occasion by the thousands who attended. Indeed, he did not believe that the death of her majesty's lamented daughter and her child drew more tears than were shed on that day. After repeated stoppages and interruptions, which he would not now either excuse or condemn, the funeral arrived at Cumberland-gate. On what happened there it was not his purpose to

observe. No doubt, scenes took place which all must regret; but of those scenes he would merely say, that whatever blood was shed, whatever calamities ensued, the fault was to be attributed to his majesty's ministers, whose arrangements had been throughout so ill-advised. From Cumberland-gate the funeral went on, many obstacles being opposed by the people in the by-ways and lanes through which ministers had thought fit it should pass. As it proceeded, its progress was marked with the same intensity of feeling, the same tokens of respect for the illustrious deceased, the same deep regret for her unmerited sufferings, which had been evinced at its outset. The inhabitants of the suburbs poured out in thousands, and a very great portion accompanied the procession for a considerable distance out of the city. At about eight o'clock it reached Romford, where it halted for some time. Soon after its arrival, there was a notice given by the parties who conducted it, that it would proceed that night on to Chelmsford. To this an objection was made by one of the executors, who represented, that no necessity existed for such haste; but it was replied that those who did not choose to accompany it that night might follow it in the morning. At half-past ten it left Romford, and arrived at Chelmsford at about half-past four on the following morning. Immediately on its arrival there, a notification was given, that it would set out again at seven; but though, as before, remonstrances were made against this haste, it was not until it was found that the horses were too jaded to proceed, that a further delay of a few hours was granted. At 11 o'clock it left Chelmsford, and arrived at Colchester at about 5. At first it was intended to go on to Harwich that night; but, after repeated remonstrances on the part of the executors, a letter was produced from lord Liverpool, in which it was stated, that the procession might occupy three days, but that the body should be on board on the third day; and therefore that a delay might take place for that night at Colchester. This letter, however, was not produced, until after it was ascertained that the state of the horses was such that they could not proceed without considerable delay. The body was after this conveyed to the church, where a scene took place which he would leave to others to describe. It should be recollected that it was a part of her majesty's will that an inscription should be placed on her coffin. That inscription was, "Here lies Caroline of Brunswick, the injured Queen of England." A communication of this was of course made by one of the executors to lord Liverpool who objected to its being put on the coffin; but he believed he was not saying too much in stating, that lord Liverpool did not object to its being done by others. A plate with the inscription was prepared, but, owing to the carriage of the gentleman who had to take it to Brandenburgh-house having been delayed by the immense crowds through which he had to pass, he did not reach that place until after the funeral had left it. In consequence, the plate did not arrive at Colchester till a late hour on the evening of the 15th. It was then fixed on the coffin, and a scene ensued which he would leave to those who witnessed it to describe. He would only say, that the plate was taken off, and an interference of the soldiers followed, in no way creditable to the parties who directed it. Early on the morning of the 16th, the procession set off for Harwich, a distance of about 16 or 17 miles. He mentioned this to show that the distance did not require the haste at which it was made to advance. Indeed, the whole progress of the funeral might be considered as one which was going post. He should call it a funeral travelling post. Some parts of it were a mile asunder, and in no place was it accompanied by that solemnity which one would expect at the funeral of the poorest subject. The only solemnity witnessed on the occasion was on the part of the people who flocked from the neighbouring towns and country, in tens, and he might say hundreds of thousands, to pay their last tribute of respect to the memory of her whom they believed so deeply-injured. He spoke in the hearing of many gentlemen who witnessed the procession, and if he mis-stated any thing, he hoped it would be corrected. On the arrival of the procession at Harwich, without waiting for the coming up of the carriages, or giving the parties who had a right to attend time to get out, the body was dragged from the hearse, and being placed on men's shoulders, was hurried down to the place at which it was to be embarked. It was there lowered down into the boat, without a pall, without the crown, and without that ceremony which one might have expected on such an occasion. He be-

lieved there was no instance of any person being sent out of this country for interment, where the same haste was observed. The coffin was placed in a boat, in which was sir George Nayler and his deputy, the undertaker and his deputy, but not a soul of those of the suite who, it might have been supposed, ought to have accompanied it to the ship. The interment of the queen of England, he would call upon the House to observe, was then, as far as England was concerned, entirely at an end. There were no more rites, no more ceremonies, no more decency, than what he had described; and with those rites and ceremonies, such as they were, ended the control over the funeral exercised by the ministers of the king of England. On ship-board, no preparations had been made for the reception of the body. When the funeral arrived at Harwich, the attendants did not know whether they were to go abroad with it or not. The original plan was, that the body and the hearse, with one or two of the undertakers should be left to find their way to Brunswick, under the direction of an hon. and learned friend of his who did not understand the language, or know the people of the country through which it would be necessary for him to pass. That plan, was, however, abandoned by government, and the hearse was embarked with all its attendants. The vessel did not sail for Germany till the next day, and there was, therefore, no occasion for the hurry made to get her majesty's body on board; there was, therefore, no occasion to travel with it as if—he was almost ashamed to make the comparison—as if it had been a fish-cart; there was no occasion to inflict upon her memory such unprecedented contempt and indignity. The vessel, he repeated, did not sail for Germany till the next day, and did not arrive at Stade till three days afterwards.

He had now done with the government of the king of England, and was obliged to commence his observations upon the government of the king of Hanover. When the funeral arrived at Stade, no preparation had been made to receive it, and no bier had been constructed for the removal of the body. It was, however, carried on shore, and placed in the church on some trestles, that were provided by the zeal of the kind-hearted inhabitants of the town. The inhabitants—and he merely mentioned the fact to show the spirit of the proceeding, and the *animus* of those who directed it—the inhabitants joined with the municipality in asking permission to meet the funeral. They were refused permission. They applied for it a second time; they were again refused it. They applied for it a third time, and no answer was given to their application. The people of Stade felt like the people of England; and, though permission was not granted them to do so, paid every respect in their power to the memory of her who had recently been their royal mistress. The battery saluted the corpse without orders; and well it was that it did so, for if it had waited for the orders which shortly afterwards arrived, no salute would have been fired. The next day the procession moved on; and throughout the whole country through which it passed was received, as he had been told, in a manner that proved that the people of all countries that were unseduced by bribes and temptation entertained a hatred against oppression, and a sympathy for the oppressed. He had been told that nothing could be more touching than their conduct; indeed, it was impossible for language to describe, or for man to conceive, the affectionate regard which all persons, and especially the women showed to the memory of her late majesty. Wherever the funeral went, it was preceded by women strewing flowers, and those women were the daughters of the principal inhabitants of the country. Through this group of people in mourning, the procession moved on to Brunswick; and there took place the ceremony —if ceremony he might call it—with which the queen of England was consigned to the vault of her noble and illustrious ancestors. The inhabitants of Brunswick on that occasion shewed that they felt like the manly and gallant people of England. They were all—excepting the government of the Crown which threw every obstacle in the way of any public expression of sorrow—influenced by the same feeling. Would the House believe it, that even up to that very hour no funeral rites had been celebrated over the body of the Queen of England? In defence of so extraordinary an omission of respect, it was asserted, that it was not customary in Brunswick to celebrate funeral rites twice over the same corpse; and as a proof of the custom it was added, that when the body of her majesty's illustrious father was brought from the church of the

obscure village near Jena, in which he had been buried after the battle there, to be re-buried at Brunswick, no ceremonies had been performed over it. But even allowing such to have been the fact in that instance, how did it apply to the case of her late majesty? He would leave the House to judge, when he stated that the funeral ceremonies had been once performed over the late duke of Brunswick before he was placed in the family vault, but never at all over the late Queen of England. If they were to be told that such ceremonies were mere idle prejudices—if the Hanoverian government had been visited by the new lights which first dawned upon the world at the commencement of the French revolution, and was convinced that death was nothing but an eternal sleep, and that no honours ought to be paid to the deceased—if such, he said, were the philosophy of the Hanoverian government, he would merely reply to it by stating, that it was not the philosophy of the human heart, which received consolation from the performance of such ceremonies, even though it knew that they conferred no honour or benefit on the dead. The Queen of England was now laid by the side of her gallant father and brother, both of whom had fallen victims to the cruel tyranny of Buonaparte; but he much doubted whether that tyranny, cruel as it was, could produce an example of oppression more black and damning than that under which her late majesty had at length fallen. Though no religious ceremony had been performed over her body, there was not a country in the world—he cared not what language its inhabitants spoke, or in what form they offered up their prayer to the Deity —in which the name of the Queen of England was not uttered by all who prayed for mercy against oppression—in which all who had heard of her sufferings, did not pray that her fate might not be their fate, that her lot might not be their lot. In what he had said, he had perhaps expressed himself warmly; but he felt warmly upon the subject, and should feel so as long as he lived.

Before he concluded with the motion which he intended that evening to submit to the House, he could not help coming back to England, and pointing out the conduct which government had pursued in another respect upon this occasion. Ministers must have been aware of the strong interest which the people of England had always taken in the fate of her late majesty. They must have known, or if they did not know, they ought to have known, the anxiety with which every person in England had watched the progress of the fatal disorder of which she died; they must have known, that from the moment of her decease, there were no persons in the middle, and but few persons in the higher classes of society that were not desirous of exhibiting their respect to her memory as she was conveyed to the tomb. One would have expected that, under such circumstanses, the government would have been careful to pursue such a line of conduct as could shock no man's prejudices—as could wound no man's feelings. The experience of the past ought to have taught them the expediency of conciliating the feelings of the public, where they knew that it would be impossible to prevent a display of those feelings. They had full notice of what the feelings of the country were; they had received no less a warning voice than that of the lord mayor, aldermen and common council of the city of London—a body which it was usual in that House to treat with the utmost contempt, except when it sided with the views of his majesty's ministers. Now he, who had been accustomed to look upon it with respect, even when he most condemned its conduct, thought that his majesty's ministers ought to have paid some attention to the opinions which it had expressed, especially as those opinions were held by all the people of England, who had not received from government money, or money's-worth. The corporation of London had, a few days before the Queen's funeral come to a resolution, which he would read to the House. It was as follows: "Resolved unanimously, that this court feels it a melancholy and irresistible duty to express its deepest concern and affliction at the premature and ever-to-be-lamented death of her most gracious majesty Queen Caroline. The eminent virtues she possessed—the amiable and unaffected condescension of her manners—the habitual kindness and benevolence of her disposition, and the vigour and intelligence of mind she displayed on the most trying occasions—her regard for the rights and privileges of the people, and the warmth of affection she evinced for the British nation, would of themselves have called for expressions of gratitude to her memory, and sorrow for her loss. But when

this court calls to mind the painful and distressing vicissitudes of her eventful life, from the period she first landed in this country, under the most flattering and auspicious circumstances, and contemplates the domestic afflictions and the series of persecutions which, in unrelenting succession, she has undergone, it cannot but record its highest admiration of the temper, the unshaken firmness and magnanimity with which she met and defeated, if not destroyed, the malice of her persecutors; and that to the last moment of her existence she displayed the same fortitude with Christian resignation, forgiving all her enemies; and when under the weight of her complicated wrongs and sufferings, sinking into the arms of Death, she hailed him as a friend, in the hope of exchanging these scenes of sorrow and trouble for a crown of glory and immortality." That resolution was followed by another, which he should also read to the House—"Resolved unanimously that this court is anxious to do honour to the remains of her late majesty Queen Caroline, and in the event of the royal corpse passing through the city, they feel it their duty to attend the funeral procession at Temple-bar, and through the city."

He thought that these resolutions might have informed his majesty's government of the nature of the feelings of the inhabitants of the metropolis; and he further thought that it might have been permitted to the corporation of the metropolitan city, to take a part in her majesty's funeral procession. If there had been any thing in his majesty's ministers—he would not say like wisdom, but like that common sense which was necessary to administer the lowest and meanest affairs—they must have seen that the only course to be pursued with safety was to conciliate the feelings of the people by acceding to their earnest wishes and solicitations. By what fatal infatuation they had determined to drag her majesty's body through all the by-ways and bylanes of the town, through all its obscure paths and tortuous roads, in order to prevent the people of England from showing their respect to her memory, the country would, perhaps, be informed in the course of the evening. The noble marquis, upon a former occasion, had insinuated that the Queen had requested privacy to be observed in her funeral. Now, he had read her will with considerable care, but could not find a single word in it to that effect. He had inquired of those who were with her in her last moments if she had expressed such a wish, and they told him that she had done no such thing. It was also said, that she had desired her body to be removed within three days from her death. Upon that point he had already explained himself to the House, and would, therefore, say no more upon it at present, except that he believed that ministers were the only men in the country who would have come to the conclusion that they had done upon it. Upon their heads, therefore, rested all the responsibility of all the evil counsel, all the mischievous advice, and all the fearful consultations which had taken place, provoking and irritating the people to a breach of the law, which ended in the death of two individuals. The country was indebted to other individuals than the members of the government that more blood had not been shed. If there had been at the head of that procession persons as wrong-headed in action as others had been in counsel, a great sacrifice of human life must have taken place, which might have led to the most fatal results. What might have been the issue of them God alone knew; but of this he was sure, that the blood which was then shed would have been too dearly purchased if it had been the price of deciding whether the Queen should receive from the inhabitants of the metropolis those honours which they had always paid her during her life, and which they were anxious to pay her even when she was no more. At this stage of his speech, he could not help looking back to the period—and he was old enough to remember it—when the late Queen of England came to its shores, full of hope, and life, and joy. Beautiful he thought she was in person, amiable he knew her to have been in manners; and yet, within one short year, without any fault being even alleged against her, she was turned with her child from the house of her husband; and from that time there was not one suffering, which, in the visitation of calamity could befal mankind, that had not been heaped unsparingly upon her head. He spoke not merely of those calamities with which the All-powerful Disposer of events sometimes inflicted, in his wisdom, upon us all; but of those calamities which the wickedness and treachery of mankind had repeatedly brought upon her. She

was taken up—and he had no doubt that the observations he was going to make would be received with cheers from the other side, but they touched him not—she was taken up as a party tool, and was alternately caressed and betrayed. When they could no longer use her to their advantage, the different factions, who had for a temporary purpose attached themselves to her, forsook her, and one of them had absolutely seduced her into that course which ultimately betrayed her to ruin. He would not go back to those disgusting scenes to which the people of England—to their everlasting honour be it mentioned—had put a stop by that hatred to oppression, and that manliness of feeling which they then displayed in so powerful and unequivocal a manner. Those measures would descend to future ages, a lasting record of the infamy of all engaged in bringing them forward, and would form a dark page in the annals of the historian who should review them, when all party-feeling should be at rest, and the paltry interests of the present moment buried in oblivion. But, whilst they fixed an indelible stigma on the conduct of those who originated them, they would form a proud source of triumph to those noble personages, who, in another place, had stood forward in behalf of themselves, and the constitution, and that gallant people who were never known to forsake the oppressed in their time of need, and who stood by her late majesty to the last hour of her existence.—I do not know (continued Mr. Bennet), or rather I do know, what will be the fate of my motion. I know it, by the fate of every other motion which has yet been made, regarding that ill-treated but high-minded lady; but I should be ashamed of myself, as a member of parliament — I should be ashamed of myself as an English gentleman—if I were on that account to refrain from giving vent to the feelings which actuate me on the subject. I have given vent to them, and I trust that I have done so decently and decorously. I have spoken out on the subject, because the subject required it of me; and because I was anxious to put upon record the sentiments which I felt on a question, which, whether I look to the past or to the future, I conceive to be of infinite importance to the peace and character of this nation. I now move, "That the respect and solemnity which by ancient custom have been observed at the funerals of the Queens of England, have been, at the funeral of her late Majesty Queen Caroline, unnecessarily and indecorously violated."

Mr. *John Calvert* said, he was present at the embarkation of the body of her late majesty at Harwich. He saw the coffin lowered into the boat in the most solemn manner. The naval officers and men who attended behaved with the utmost decorum; and every thing had been provided by the admiralty, that could insure a respectful attention to the remains of her late majesty. The guns had been fired both at Harwich and at Stade. On the arrival of the body at Zell, it was carried to the church, which was fitted up with black for the occasion. Throughout the whole of the journey the utmost respect and solemnity were observed. The Hanoverian government must have made great exertions to provide for the progress of so large a procession, in which there were sixty horses to be changed at every stage.

Sir *G. Cockburn* wished to say a few words on what had fallen from the hon. mover, with respect to the conduct of the navy at Harwich, which that hon. member had characterized as deficient in respect.

Mr. *Bennet* observed, that so far from accusing the navy of disrespectful conduct, his meaning was directly the reverse. He wished to state distinctly, that the navy had conducted themselves on that occasion with the greatest feeling and propriety. What he complained of was, that no boats were ready at the jetty to convey her majesty's attendants on board at the time that the body was embarked.

Sir *G. Cockburn* said, he was happy to hear the explanation given by the hon. gentleman, although he could not admit the accuracy even of that explanation. He was not present himself, but he had it from a very excellent officer, captain White, who was there, that he ordered all the persons to be taken on board whom the executors pointed out to him for that purpose. He called on an hon. and gallant friend of his opposite to state how the navy had behaved on that occasion. A learned gentleman opposite had told him that nothing had ever been better done. He would appeal to that learned gentleman, whether the Admiralty did not express their disposition to give him a vessel of any description of force he chose, for the purpose of conveying the body of her late majesty to Cuxhaven? They had re-

commended a small frigate, as better calculated to go up the river; but the learned gentleman had chosen to have a large frigate, as conceiving that it would be more respectful. In consequence a large frigate was immediately ordered round by the Admiralty from Portsmouth. Orders had been given to fire the guns, and to do every thing else that was proper. Under those circumstances he confessed that he was not prepared to hear any accusation of a want of due attention.

Colonel *Gosset* understood, that the hon. member for Shrewsbury found fault with the way in which the coffin was lowered into the boat. If any one was to blame on that occasion, it was himself. He had consulted with captain Doyle as to the best and safest method of conveying the body on board. At the beach the water was shallow, and the coffin could not be carried to the boat. Both captain Doyle and himself agreed that the best way was to lower the coffin into the boat by the crane at the ordnance jetty. The next question was by whom it should be lowered? Several officers were appointed for that purpose, but they were so unaccustomed to the use of the crane, that it was thought expedient to employ four men who were so used to the work. Captain White tendered his assistance to carry all these dispositions into effect. There was abundance of room in the boat into which the coffin was lowered; and he confessed that he felt surprised that none of her late majesty's attendants accompanied the body. When the procession approached Harwich he went out to meet it, and riding up to the carriage in which was sir G. Nayler, advised him to take the body at once to the jetty, for that the tide would not serve above three or four hours longer, and, therefore, if the body was not embarked then, it must be embarked at night, or wait four and twenty hours. Sir G. Nayler and his attendants wanted rest. He (col. G.) had offered his dining room for the reception of the body. The church was not in a state to receive it. The mayor offered the Town Hall, but on examining the stairs, there appeared to be a sudden turn which would render it difficult to carry the coffin up. The question, therefore, was, if it became necessary for the body to remain all night ashore; whether it should remain at the Three Cups-inn, or at his house? He could assure the House upon his honour, that he had the windows taken out of his dining-room, to prepare for the reception of the coffin.

Mr. *Hume* said, he had witnessed the whole of the ceremony, and must do the navy the justice to say, that he never witnessed more creditable and honourable conduct than that of captain White and the sailors. Both officers and men, while the body was lowering into the boat, showed every mark of respect and feeling. When the coffin was lowered into the boat, the crown and cushion were immediately handed into the boat, accompanied by sir G. Nayler, who placed himself at the head of the coffin. But that of which his hon. friend complained, was, the disgraceful neglect in not providing the means of embarking the attendants on her majesty's funeral. Lord Hood, as chief mourner, had asked what conveyance there was for carrying him on board? There were no boats. Lord Hood then asked, how he could return, if he went to Cuxhaven? Captain White replied, that he had no instructions, but that he would take it upon himself to say, that his frigate, the Tyne, should attend for the purpose of conveying any part of her majesty's household back from the opposite shore. The gentlemen of her majesty's household, were, however, left on the quay; and it was for some time doubtful whether any conveyance on board was to be afforded them. He appealed to an hon. member opposite, whether considerable indecision had not been manifested, until a letter arrived from the Admiralty which, that hon. member said, contained the necessary orders? He was surprised that the gallant officer should have said there appeared any unwillingness on the part of the mourners attending the funeral, to go into the boat in which the body was placed. The fact was, that the persons who attended were ready and anxious to attend the coffin, but no attempt had been made to provide boats to take them off; indeed, so little was known upon the subject, that it was for some time a question with the mourners whether they were to proceed in the king's ship or take the packet. But this was a small part of the complaint made by the hon. member for Shrewsbury. Before, however, he quitted this part of the question, he felt it necessary to do justice to the conduct of the gallant officer (colonel Gossett). While the funeral remained at Harwich, that gallant member had used his utmost endeavours to pay the remains of her ma-

jesty all due respect. Would to God that he had been appointed to join the procession in the first instance! Had that been the case, the country would not have witnessed those disgraceful scenes which unhappily took place. Having said thus much, he intreated the attention of the House to the main facts of the question. He would first state how the remains of her majesty had been treated on the other side of the water. On its landing, eight majors were appointed to remove the coffin, and the people insisted on having her body removed from the ordinary hearse. It was placed in a carriage brought for the purpose, and that carriage was drawn by a number of respectable burghers; in a word, every possible mark of respect was shown to the remains of her majesty. This was the conduct pursued by the Germans; and he had no hesitation in saying, that the people of England would have shown the same respect, were it not for the interference of his majesty's ministers. The complaint of his hon. friend was mainly against the manner of this interference. He complained of the shameless and indecent haste with which the proceedings were pressed on. So great had been that haste, that persons wishing to attend the funeral were allowed but a few hours to prepare themselves for the journey. This was the main ground of complaint. It had been said, that the respect usually paid to crowned heads had been paid to her majesty; and much stress was laid upon Brandenburgh-house having been hung with black. But all those who had witnessed what took place at that house, must have felt that the whole was a mockery. In the first instance, it had been determined to remove the body on Monday, and it was not until it was shown that lord Hood's horses had not come up, and that it would be impossible to complete the other necessary arrangements in time, that this idea was abandoned. It was this indecent haste that was complained of. And then as to the black cloth which was spoken of, it was not entirely put up until Tuesday morning; it was put up, not out of respect to her majesty, but in order to expend the cloth and other materials for the benefit of the individuals concerned. It could not have been put up out of respect to the Queen, as no one individual of the public was allowed to go in to witness the funeral ceremonies.—He now came to another serious charge against ministers. Why was not the funeral allowed to go through the city? Why were orders issued to have it taken through bye and crooked ways? The immemorial usage was, to take funerals along the highways; so much so, indeed, that he believed a private path through which a funeral passed became thenceforward a public way. Why was it that ministers kept the public, up to the last moment, in ignorance of the route which the funeral was to take? It was this which had brought such an accumulated mass of people to the west end of the metropolis on that day. Had the people been made acquainted with the line which the funeral would take, they would have waited quietly at their different stations until it passed. The reasons by which ministers were actuated in doing this, they were now called upon to explain to the House. They had to explain, too, why, after having refused her majesty a guard of honour in her life time, they sent one, as if in mockery, to attend her funeral; and, having done this, they wished to have the body taken a bye and tortuous course, well knowing that the people would not suffer her remains to be treated with indignity. He hoped the noble marquis opposite had had some conversation with that respectable magistrate, sir R. Baker, who had charge of her majesty's funeral; If so he must have been informed that the conduct of the people was every thing that could have been wished for on that day. The only complaint made was of the attempt to turn the funeral out of the direct and public road. The worthy magistrate, in the exercise of a sound discretion, had taken upon himself to alter the intended route, and take the funeral by the direct and open road. Had the worthy magistrate adopted this course a little earlier, he would have prevented much riot, disorder, and bloodshed. For his firmness, his mildness, and humanity, on that melancholy occasion, he deserved —not the reward he had received—but the thanks of the House and the country. He had never before been particularly partial to sir R. Baker; but he could not withhold his praise of the coolness, the temper, and moderation, with which the worthy magistrate acted on that day.— The funeral having been turned into the park, brought him to a point in which he viewed the conduct of ministers as culpable in the highest degree. They gave the officers orders to take the funeral that

way (he presumed they must have given such orders, or surely the officers would not have acted as they did); and this led to a scene the most disgraceful of any that had ever come within his observation. He was himself present, and he saw with regret that those soldiers who had been sent out in aid, and under the control of the civil power, had acted entirely without orders; that they had not only not prevented, but had actually committed a breach of the peace. He found too, that the officers had given the soldiers no orders to fire. Was this the way in which our troops were disciplined? When he was in the field, he had always seen the men under the strict command of their officers. What was the case here? It appeared that the officers were at the head of their troops, and yet those troops used their swords and pistols against the people, without having received any orders so to do. How could he call those disciplined troops? He could consider them in no other light than as a lawless band, with arms in their hands, rushing furiously to attack those subjects whom it was their duty to protect. In doing this, they had been guilty of murder and manslaughter. He was most willing to admit that the soldiers had been placed in a situation of much difficulty on the 14th of August. He repeated that the soldiers had been so placed, but how often did it occur that soldiers were placed in situations which exposed them to a galling fire without being allowed to return a single shot without the orders of their officers? And when soldiers so placed disobeyed that order, they were considered as any thing but disciplined troops. He was willing to admit that stones had been thrown at the soldiers; though he could assure the House, as well from his own observation, as from what had reached him on the subject, that the soldiers were the first aggressors. The soldiers began with using their swords against the people, who in return attacked them with stones, and then the soldiers fired among the crowd. Then it was that the fatal occurrences which gave rise to a subsequent inquiry took place. The funeral having been turned into Tottenham Court-road, a party of infantry were seen advancing rapidly to assist the civil power in forcing the procession back to its originally destined route; but Sir R. Baker, much to his credit, declined availing himself of their assistance, and the funeral proceeded. Had those soldiers arrived ten minutes sooner, a most lamentable scene would, in all probability, have taken place; and all this for the purpose of carrying a point of inconsiderable consequence. The people who attended the funeral of her majesty, were not what some honourable members would call the lower and illiterate classes of society, they were persons of all ranks, who crowded to pay this last tribute of respect to her memory. He was sure that ministers did not consult either their own characters or the welfare of the country, in their proceedings upon that unhappy day.—The hon. member proceeded to complain, that the ordinary forms of decency had not been observed at the funeral, as the procession had scarcely reached Whitechapel when every ornament was removed, the usual foot attendants were withdrawn, and, after the first stage, the funeral was not to be distinguished (except by the attendance of the military) from that of a person in ordinary life. The House had all these circumstances before them. They had also in their recollection the fact of a verdict of wilful murder having been found, not against any person or persons unknown, but against the soldiers and officers who did duty at Cumberland-gate. What was it that the people of England expected in such a case? They expected, and had they not a right to expect, that government would deal out justice equally to all parties? If one soldier had been deprived of life on the 14th of August, and a coroner's jury had declared any ten or twelve of the people guilty of that murder, would not ministers have taken the necessary steps to bring the accused to trial? This was his complaint. Notwithstanding the verdict of a coroner's jury, no steps had been taken to ascertain the guilt or innocence of the accused. He did not mean to say that the Coroner's verdict was conclusive of the guilt of the parties, but he did maintain that it was sufficient to put them upon their trial. Sure he was, that ministers would best consult their own characters, and the feelings of the country, by instituting an inquiry. But, instead of doing this, they took every step within their power to throw obstacles in the way of the only measure which had been taken to attain justice. He hoped the gallant officer who, on a former occasion, threw aspersions upon the coroner's inquest was now in the House. If so, he (Mr. H.)

could assure him, that there never had been a more respectable, or a more fairly constituted jury. The failure of the inquiries made by the secretary of state, in order to discover if any unfair means had been used to call that jury together, was the best answer which could be given to the aspersions thrown out by the gallant officer. The memory of the Queen had been treated with disrespect—the civil institutions of the country had been despised—it was proved in one instance that murder, and in another that manslaughter had been committed—it was admitted that blood had been shed; and yet ministers screened the accused, solely because those accused were the soldiery. Under these circumstances, he felt himself bound to support the motion of his hon. friend.

General *Gascoyne* said, he had attended most watchfully to all which had been said with respect to her majesty's funeral, in order to ascertain whether the charges were made out. The hon. member for Aberdeen had attended at Brandenburgh-house, no doubt with all that solemnity and sorrow which the great loss he had sustained was likely to call forth; and yet the hon. member could not check his habitual thirst for economy and retrenchment, for he had scarcely entered the house of mourning, when he complained of the extravagant expenditure incurred by putting up so much superfine black cloth. The hon. member had next complained of the conduct of the military, and he had condemned their want of discipline for having acted without orders, and in the next sentence he contradicted himself and justified the military; "for," said he, "I admit that the soldiers were in a situation of difficulty; I admit that it was a hard case." Really! The hon. member did then think it a little hard that men with arms in their hands should be pelted and knocked from their horses without making any effort to defend themselves. Did the hon. member mean to contend, that because a man put on a red coat he was to be deprived of all right of defending himself? Did he mean to contend, that when the military were called out to preserve the peace, they were only to form a part of the shew and pageantry? Perhaps, the hon. member would rather that no military escort should have been sent to attend the funeral of the Queen. But had ministers acted in that way, then the cry would have been, that they had degraded and insulted the memory of the king's consort, in not having sent the usual guard of honour. He was confident, that whatever might be the views of the honourable member upon the subject, there was but one opinion entertained in the country, namely, that there never was a more gross or disgraceful outrage than that committed by the populace on that day, in dragging about the body of that Queen who, in her life-time, had been made the tool of party and of faction.—Having risen in consequence of expressions which had dropt from the hon. member for Aberdeen, he must complain of that hon. member's allusion to him in his absence last night. He (general G.) would now express the regret he felt for having used a phrase on a former night, which appeared to have given offence to the hon. member. It fell from him in the heat of debate, and he regretted having used it. But what had the hon. member said, not in the heat of debate, but after a night's sleep over the words?—

Mr. *Denman* rose to order. He was sure the House had heard with satisfaction the gallant general express his regret for a phrase he had used on a former night; but he was now referring to what had taken place on a former night, which was disorderly.

The *Speaker* said, the House would feel the difficulties he should have to encounter if he were called upon when any deviation from strict order took place, to interpose. It was most certainly irregular to refer to a former debate; but as he had not interfered in the allusion of one hon. member, which was irregular when it was made, he was at a loss to see how he could now interfere to prevent another hon. member, who conceived himself alluded to in his absence, from giving that explanation respecting himself, which he deemed relevant.

General *Gascoyne* said, that he had freely confessed his regret for the personal allusion into which he had been betrayed, on a former night, in the heat of debate. The hon. member had last night assumed something respecting the manner in which he (general G.) had acquired his present military rank. To that allusion he should only reply, that he had obtained his present rank by forty years of service, extending when and where it was required, or wherever he had the honour of a command, sometimes by loss of blood, and often with fatigue and danger.

Mr. *Peel* said, he must premise, that he had no personal knowledge of any of the circumstances involved in this debate; but, after the most careful attention he was capable of bestowing upon the documents to which he had referred in his office, his conscientious conclusion was, that throughout the arrangements for her late majesty's funeral, the responsible persons connected with government were entirely actuated by a desire to pay all proper respect to the high rank of the deceased. He wished to take this opportunity of recording his entire acquiescence in every proceeding upon that occasion, and his complete conviction, that no other course could have been pursued with equal propriety. He approached the discussion with the intention of doing that which seemed to be in conformity with the wishes of the House, namely, to avoid every topic that could create irritation. He would, therefore, leave unnoticed some things that had fallen from hon. gentlemen on the other side. Upon those points he had already had an opportunity of expressing his opinion, and he did not wish to revive the topics, and to bring them again into discussion. The real question was embodied in the resolution of the hon. mover, and it was this:—whether it was fit for the House to mark its censure of government, by declaring that there was a want of due respect in the proceedings that took place after the demise of her late majesty. For himself, he was willing to rest the decision upon the speeches of the hon. members for Shrewsbury and Aberdeen, comparing the impression which those speeches had made with the effect produced by the addresses of the lord of the admiralty, of the hon. officer who conducted the military arrangements, and of the hon. gentleman connected with the department of the lord chamberlain. He appealed confidently to the House, whether those three honourable gentlemen had not afforded conclusive proofs as to the *animus* by which the proceedings were governed; for it was impossible to draw from their statements any other inference, than that it had been the intention of government to regulate the whole funeral with every regard to the decorum due to an occasion so melancholy. If an accidental circumstance had occurred; if, as the hon. member for Aberdeen had contended, there was some defect in detail; if some strap had been broken, or some boat had been absent that ought to have been in waiting; would the House, from such a paltry deficiency, such an insignificant trifle, draw a conclusion adverse to all that had been said on the most unquestionable authority? As to what had fallen from the hon. member for Aberdeen, it had only produced a conviction in his mind, that whatever course ministers had adopted, the hon. gentleman would have been prepared to find fault with it. From those very circumstances that testified respect, the hon. member would have argued that it had been wholly disregarded. To one point the gallant general had very properly adverted. Was it possible that the hon. member, a professed mourner for the Queen, when he recollected the preparations that were made for hanging the apartments with black cloth, should have made an objection to them which it would have been thought could never have entered into the mind of any man except a tailor? Could any man believe that the wrath of the hon. gentleman was directed against the profligate expenditure in cloth employed upon that occasion? This evinced, beyond refutation, the disposition to find fault with ministers, whether right or wrong. Remarkable as the hon. gentleman was for economy, the economy of justice and of common candour in such an objection was to the full as remarkable. Next, the same hon. gentleman had complained, that the military escort was a mockery of her majesty; and yet, with singular inconsistency he had turned round and objected, that that mockery had been continued no further than Whitechapel. The speeches of the three hon. gents. to whom he had already referred with so much satisfaction, must have established this fact, that, at least on the part of the admiralty, there was no want of respect in the preparations. The hon. member for Shrewsbury had admitted that the embarkation had been properly conducted. With respect to what occurred after the embarkation, even the hon. member for Montrose had allowed that, if an hon. officer behind him had been present there would have been no ground of complaint. On the conduct of the military he might refer the House, without hesitation, to the speech of the hon. colonel as distinctly and undeniably showing, that in that quarter no want of respect had been evinced. The question was thus considerably narrowed. He would

follow the hon. mover through some of the points to which he had adverted, and he trusted that the explanations he should supply would be satisfactory. Her majesty died on Tuesday, the 7th of August, and a communication was immediately made to the executors, that government would bear the expenses of her interment. Her majesty had left a will, in which she expressed a strong desire, that within three days after her death, her body should be removed to Brunswick, and there buried. Whether her majesty had or had not good reasons for this request, he appealed to the House whether ministers were not bound to consult the recorded opinion of her majesty? It was the duty of government, as far as possible, to carry into effect the wishes of the Queen. He conceived also that this very fact—that the interval of three days only was allowed—conclusively shewed, that it was the wish of her majesty that her funeral should be as private as was consistent with her rank. He was fully authorised in saying, that it was the decided impression of government, that such was the wish of her majesty, because no time was lost in giving preparations on this side of the water, and also at Brunswick. The removal of the body did not take place until Tuesday, the 14th of August; and this delay beyond the three days prescribed was evidence that there was no indecent haste. The hon. member complained, that the usual mark of respect was not shown, the corpse not having been removed by yeomen of the guard. This was the first distinct and specific fact pointed out as evincing disrespect. Upon this point and upon every other, he might be permitted to observe, that it was intended that the funeral of the Queen should be conducted in the same way as the funerals of any other member of the royal family. The same ceremonies had been observed on the deaths of the duke of Kent, and of the duchess of York; the same orders had been given, the same military escort provided; the guns had been fired, and the flags hoisted half-mast high. He had made inquiry into the subject, and he was informed, on the first authority, that in the two instances to which he had referred, the bodies were not removed by the yeomen of the guard. In this instance, therefore, there had been no failure of respect. The procession left Brandenburgh-house on the morning of the 14th of August. Government had, as he had mentioned, communicated their intention to take charge of the funeral and to pay the expenses attending it, and no objection had been stated to it. It was needless to remind the House of the circumstances that delayed the funeral on the first day of its journey. He would only say, that the annals of the world did not present a more disgraceful outrage. If such a scene had occurred in another country—if, on the funeral of the queen consort of any other kingdom, these insults had been offered, because the king had ordered the procession to take a certain course, and if it was actually diverted from its prescribed line, would not any dispassionate observer have deemed that the reign of anarchy in the country thus disgraced was complete? Application had been distinctly made, that the corpse should pass through the city, and that application was as distinctly refused and notified. Yet the people (or the rabble, miscalled the people) had made an assault upon the procession, had attacked the military, and had committed one of the grossest violations of the law. It was most absurd to contend that government, who had merely supported the laws of the land, were responsible for what had occurred on the 14th August. Those who resisted the law were alone answerable. The law must be asserted, and the penalty ought to fall upon those who obstructed its course. He hoped it would not be supposed that he was insensible of the loss of life sustained on that unhappy occasion, or that he treated it lightly. He had spoken as he had done, because he was a real friend of humanity. That ministers had no alternative but steadily and fearlessly to enforce the execution of the law; and, though he did not find fault with the intentions of the public officer employed to enforce it, he most cordially concurred with those who had held that he ought to be removed from his situation. With regard to the indecent haste which it was said attended the embarkation, he agreed that there was some apparent haste in this proceeding; but, let it be recollected that it was at first proposed that two days only should be occupied in the journey to Harwich, whereas three were consumed, and it was not until the afternoon of the third, that the royal corpse was put on board the ship prepared to receive it. As to what had occurred at Colchester, the executors had resigned to the lord chamberlain the charge of conducting

the whole funeral, and, while the body lay in the church, an attempt was made to place upon the coffin this inscription, "To the memory of the injured queen of England." Was it possible for the officers of his majesty to allow such words to remain? Had the executors undertaken the duty of managing the funeral, there might have been some room for discussion on this point; but as it was, was it to be endured that an inscription should remain, recording a condemnation of the king's government? Here he must again say, that if an outrage of decorum had been committed, those who attempted to affix, not who resisted the affixing of the inscription, were responsible. The only remaining point was the omission of the funeral service at Brunswick. He had made many inquiries, and had been distinctly informed, that the same ceremony had been observed that attended the interment of other royal personages in Brunswick. In point of fact, whatever was prescribed by the custom of the country was performed, and we were not to judge of other services by our own. The hon. gentleman had himself admitted, that the ceremony was the same on the death of the duke of Brunswick; and, if other members of the same family were buried under similar circumstances, it could hardly be said that there existed any ground of complaint. He had endeavoured to conform to the wish of the House, by confining himself to the topics urged on the other side. He had not travelled beyond the limits he had at first prescribed to himself; and he trusted that the House, by negativing the motion, would come to the conclusion, that government had been influenced by no other desire than to accomplish the wishes of her majesty, having conducted the whole proceeding with all due decency, decorum, and solemnity.

Dr. *Lushington* assured the house, that he felt the deepest regret at being compelled to rise to address it upon the present occasion. Could his own inclinations have been consulted, this subject would not have been brought under its consideration. It became, however, his bounden duty, as the question had been introduced, to make some remarks upon what had fallen from one side and from the other, and he would endeavour to follow the example of the right hon. gentleman in abstaining from touching upon topics likely to excite irritation. It had been his misfortune, in the course of all these transactions, to have incurred blame on both sides. He had been censured by those attached to government, for the line of conduct he had pursued, and by such as were more particularly denominated the Queen's friends he had been charged with not having done enough to support and enforce the observance of due solemnities. He had had a difficult course to pursue. He had been placed in circumstances of a very peculiar nature and from the first he had been anxious only to do his duty. He had determined not to take advantage of the situation in which her majesty had placed him to divert the solemnities of the funeral, or any of the circumstances connected with it, to party purposes. Having been placed by her majesty's will in the responsible office he held, he could not entertain for a moment the idea of again raising through the country that flame which had so lately subdued. The House would excuse him if he entered into some details of what did and what did not occur. After the death of her majesty he had been occupied during the whole night in making necessary arrangements, and in putting the Queen's property and papers in a state of security. Next morning at about 12 o'clock, he had had the honour of an interview with the first lord of the Treasury; and he should be ashamed of himself, if he did not state what passed rather against than in favour of himself: if he knew his own heart, to give a false or even an exaggerated account was directly in opposition to his feelings. The first words of the earl of Liverpool (for he had made a minute of them) were these—"I have no hesitation in informing you, that it is the intention of government to bear the expences of the Queen's funeral." That was all that passed upon that subject, and so ignorant was he (Dr. L.) upon the matter at the time, that he did not know whether the course stated was or was not customary; he had never once thought from what quarter the money for the expences was to come. The question he had put more particularly to the noble lord was, what facilities government would afford that the corpse might be buried according to the manner expressed in the will? At this period the earl of Liverpool had desired him to wait upon the first lord of the Admiralty, who would make arrangements for the conveyance of the body

from this country. Accordingly, he had had an interview with lord Melville and the hon. admiral opposite (sir G. Cockburn), and he had no hesitation in saying, that he received from them every possible information, facility, and accommodation; nay, he had received more, and he was glad to declare it, he had received from lord Melville an act of kindness, for he personally recommended him to the civilities of captain Doyle. In the evening he found that an intention had been expressed of removing the body of the Queen on Saturday; but that was found impracticable, and Monday was the day selected. The motives for this arrangement were stated to be two:—first, that it was as nearly as possible complying with the direction of the Queen; and secondly, that his majesty was waiting in Ireland, that great expectation was excited there, and that great inconvenience might arise if the body were not removed from the country with all expedition. The earl of Liverpool had stated further, that, under all the circumstances, it might be considered that putting the body on board the vessel was equivalent to an interment. He wished the embarkation thereof to take place on Wednesday, or at latest on Thursday, that his majesty might make his entrance into Dublin. He (Dr. L.) should be sorry if it met with the disapprobation of those with whom he usually acted, when he declared that he immediately answered lord Liverpool, that he saw reason in what his lordship stated, and that so far as was consistent with decorum and propriety, he was prepared to second the wishes of his lordship. It was a mere mockery, and worse than a mockery, after all that had passed, to pretend that the royal personage in Ireland was overwhelmed with grief on the death of the Queen: public decency was all that could be consulted and expected. Lord Liverpool mentioned as an objection, that some of the household would not be prepared in time with dresses considered requisite; but he (Dr. L.) had answered, that he did not think it valid, but at the same time added, that he did not think due preparations had been made on the other side of the water; that he expected at Stade the greatest possible inconvenience from the want of specific orders. Lord Liverpool assured him, that a communication had been immediately made to baron d'Este, the representative of the Hanoverian government in the absence of count Munster. Afterwards lord Liverpool had declared, that he should be perfectly satisfied if the funeral were ready by Tuesday morning, and in a letter to him (Dr. L.) had mentioned that he wished the journey to be performed in two days, but that three should be allowed if it could not be accomplished in less time with decency and full decorum. On Saturday he (Dr. L.) had made enquiries as to the preparations to be expected at Stade: because of all the wild schemes, the wildest would have been for him to undertake the journey with the corpse and retinue, without some knowledge of what accommodations could be afforded. When he first called upon baron d'Este, at Mortlake, he could not see him; but he was afterwards told by him, that by the last mail orders had been sent that every facility should be afforded. He (Dr. L.) had then begged to be informed whether any specific orders had been given on the occasion—whether any carriages or horses had been provided? the baron answered, "Carriages there are none in the country but German waggons, and no specific orders have been given, but a messenger shall be despatched on Tuesday." Tuesday was the very day the funeral was to start, and as the messenger must cross the sea, he could not be at Stade sooner than the corpse. The baron added, that Stade was a pretty little town, and that the Queen's body would, perhaps, have to remain there for several days. Under these circumstances, he (Dr. L.) knew not what course he ought to adopt; but he never could think it consistent with decency and decorum, that her Majesty's remains should be hurried from this country with all possible expedition, for the purpose of running the chance of lying at such a town as Stade for several days. It was not on the earl of Liverpool that any blame rested, but on those who were charged with the execution of the details. He (Dr. L.) had been told that the persons employed by government had orders to deliver the body to the executors at Harwich, attended only by two undertakers. What would have become of him and of the hearse if he had set off with those two undertakers, he left it for the hon. member for Huntingdon to decide. He could have done nothing but for the intervention of the superior authorities. He was of course astonished when he was told by the undertaker, that they

were to give up the body to him at Harwich. "Neither I" (such was his language) "nor my men will go further: you must take charge of the body." He was to take charge of the body to Stade, where there were no convoyances but German waggons. He appealed to any man under such circumstances as to the course the executors could pursue. Were they to take upon themselves this grievous *onus?* He made inquiry of every indivividual he could meet with, acquainted with the country, and from one and all he found that the difficulties mentioned by baron D'Este had not been overstated. It was at last only by the great exertions of the Hanoverian government, that the body was moved at all from Stade. He (Dr. L.) had written to the earl of Liverpool, stating that he would not undertake the responsibility—that he did not dare undertake it; and he was assured that due preparations had been made on the other side of the water. In declining the office, he declined it with reluctance, and with a great violation of his own wishes. He had further requested, that some person receiving authority from government might undertake the charge, and he required that it might be assigned to some individual of the rank of a gentleman. He had to regret, that no such person had been appointed. When a queen of England had departed this life it was incumbent on Government to have taken care that some person of the rank and with the feelings of a gentleman was appointed to manage the obsequies: not to have done so, savoured strongly of indignity. He did not attribute any want of attention or consideration to lord Liverpool; but, in consequence of mismanagement somewhere, he (Dr. L.) had been compelled to take the course he had pursued. I will state to the House, (continued the learned doctor), as briefly as I can, the circumstances which occurred in the course of the funeral procession. Early on the morning of the 14th of August, in fact before six o'clock, I went to Brandenburgh-house: I inquired if any one was present who had authority from government to take charge of the funeral arrangements; and for some time no one answered. At last I was told that one of the undertakers had authority to move the body; and Mr. Thomas, a person possessing neither the rank, manners, nor appearance of a gentleman, came forward. Mr. Thomas said, that he was authorized to move the queen's remains; I requested to know the nature of his authority. The authority was then produced; and of what does the house think it consisted? It consisted of a copy of the intended ceremonial, which was without a signature, and was not addressed to Mr. Thomas by name. Now a copy of the ceremonial had been sent to me; so so that if the document did confer authority, in such authority I was Mr. Thomas's co-partner; but when that person asked, if I intended to resist the removal of the body, my answer was, that nothing could be farther from my intention. And here I must clear myself upon a point as to which I have been misrepresented. It had been stated, that, in a conversation with one of the undertaker's people, I expressed my disapprobation of the military escort provided. I beg to declare that I never used such an expression. It is not very probable that I should have communicated upon such a subject, with an individual standing in the situation of an undertaker. I thought at the time, and I think so still, that the attendance of the military was indispensable as a mark of respect to the deceased. What I protested against was, the removal of her majesty's remains, until due preparations had been made for such removal. With respect to the admittance of the public to Brandenburgh-house, it will easily be supposed there was a good deal of difficulty. To admit all who were desirous of admittance was quite impossible: for issuing tickets there was no time; and it was difficult to say where the exclusion should commence. At last it was agreed that one of the undertakers should let in such persons as appeared of respectable class. At length the procession was in motion. I had by that time divested myself of all responsibility, and I think I shall convince the House that my conduct throughout that day was cautious in the extreme. When the first stoppage took place upon the road, the officer who commanded the Blues rode up to my carriage. He stated the impediment which had already arisen, and the difficulties which were likely to arise in advancing; he then added, "I conceive you are invested with authority to go which way you please; will you jusitfy me in taking another route?" My answer to the officer was, that I had no authority whatever, and that I thought the measure which he proposed would be attended

with deep responsibility. I then advised him to send an express to lord Liverpool for further instructions; and I believe that an express was despatched. Shortly after this I received a second message, not from sir Robert Baker, but from an individual high in authority. The effect of that message was, to entreat me, a second time, to interfere, and a second time I refused to do so. And here I must take the liberty to deny that the wish for her majesty's remains to go through the city was the wish of the mob alone. I cannot yet be induced to believe that the whole corporation of London ought to be described as a mob. It would be rather bold doctrine for ministers to say that the wish of the people is to be degraded by calling it the wish of the mob. Upon the occasion in question, I do not hesitate to declare that there were the most extraordinary demonstrations of grief, regard, and affection, from almost every one who witnessed the melancholy spectacle. The expression of feeling exceeded all that I had anticipated; although I was prepared, from her majesty's death under such circumstances, to expect a very strong feeling; and I am sure that every gentleman who witnessed the passage of the funeral through the suburbs of London, and from thence to Romford, will confirm what I am stating. There can be few at this time who do not think it would have been better if ministers had harkened to the prayer of the city of London. They surely might have indulged the wishes of the people, without compromising either duty or principle; and it is with pain that I have heard words from a right hon. gentleman which may lead the House to believe that the route was marked out by one whom, by the forms of parliament, I am not permitted to mention. For my own part, however, I cannot suppose that ministers were deprived of due latitude of discretion. I cannot but think that, without offence to the Crown, they might have indulged the general wish of the people, and spared, by so doing, the bloodshed and confusion which ensued. Of the creation of that confusion, however, no portion fell to my lot. I remained a passive spectator in my carriage while the shots were firing round me; I might almost say a passive victim, for I was quite near enough to run the risk of suffering by that firing. And here I feel myself imperatively called upon to state one fact, bearing upon the conduct of the hon. member for Southwark (sir R. Wilson) That hon. member, at the time to which I am speaking, rode up to my carriage, and expressed his determination to stop, if possible, the effusion of blood. I tried to dissuade him from interfering, on account of the personal danger to which he must be exposed; but he did, like a gallant gentleman, expose his own life to save the lives of others; and it is my firm opinion, if this were the last moment I had to live, that the hon. member, when he left my carriage, had no desire or intention but to stop the effusion of blood, which was apprehended. The procession reached Romford at eight in the evening. All the persons attending upon her majesty's remains had, at that time, been thirteen hours in the mourning coaches, without an opportunity of leaving their seats. It was then suggested to me by certain three persons who assumed control over all our proceedings—the individuals composing this illustrious triumvirate being no other than, first, the honourable and ingenious Mr. Thomas, of the lord chamberlain's office; second, the highly to be respected Mr. Chittenden, whose occupation is that of letting out horses and carriages; and last, not least, but infinitely more respectable than the other two, Mr. Bailey, a partner in the house of Bailey and Saunders, the undertakers, who certainly did his duty to the best of his ability. This triumvirate, to whom the supreme control of the Queen's funeral was committed, suggested that we should proceed, that same night, to Colchester, I stated to the directors—from whom (excepting always Mr. Bailey) nothing like common respect, or even common decency of behaviour, could be obtained—the situation of the persons composing the procession. It was impossible for lady Hood and the female attendants to proceed that night. If the House considers that they had then been thirteen hours in the carriages, exposed not merely to fatigue, but to severe and dangerous trial, they will feel that it was impossible. I stated the difficulty in very strong terms, to Mr. Thomas; and what will hon. gentlemen thing was his answer? Mr. Thomas said, that if any attempt was made to delay the departure of the funeral, he would call in the military. My answer was, that I should always be ready to attend the body of my deceased mistress wherever it went, and however it went; that per-

sonal fatigue was to me a matter of no consideration; and accordingly, starting again at half past ten the same night, we arrived at Chelmsford about four in the morning—our horses knocked up, our procession disorganized—one coach here, another coach there, the hearse out of its place, the attendants scarcely able to move, and the whole procession in a state of confusion which would have been disgraceful on an occasion of infinitely less moment and solemnity. At Chelmsford, however, about half past four in the morning, her majesty's remains were deposited in the church. Sir George Nayler was then called for, to place the crown and cushion upon the coffin. Sir George Nayler was not forthcoming: although it was the duty of that officer to attend the funeral, he begged to decline following it at such a Newmarket pace. The ingenious Mr. Thomas said, that it was no matter whether Sir George was present or not, because they had orders to use as little pomp as possible. Having sent off a letter by express to lord Liverpool, urging that some proper person should be sent to take charge of the funeral, I received a peremptory order from the triumvirate to be ready at nine o'clock. At nine the attendants were ready; and we were then informed that the horses could not set off before 11—the convenience of the horses being attended to, however that of the human beings was neglected. We reached Colchester about 4 o'clock that afternoon, and received further orders to be ready again at eight in the evening. Here, finding it was vain for us to hope for any relief, as long as the wearied horses could drag the hearse along, I produced a copy of a letter from lord Liverpool, which I had received in the early part of the transaction, stating that the journey was not to be performed in two days, unless it could be done with convenience; and after some time I was told that that letter had produced some effect, although my remonstrances could produce none; and that we should be excused from proceeding until five o'clock next morning. I, of course, had nothing to do but to acquiesce.—I now request the attention of the House to some circumstances which I consider essential to the explanation of my after conduct. At my first interview with her majesty, on the 4th of August, she particularly desired that I should place upon her coffin the inscription which afterwards gave occasion to much difference. When I received her majesty's instructions, I did not at once feel the deep responsibility which they cast upon me. I begged she would repeat her commands. She did so; and solemnly enjoined me, with her dying breath, to see them executed. So strong was my feeling upon that occasion, that subsequently, on the 5th of August, I stated to my royal mistress, the difficulty which I might experience in obeying her injunction; and she said that she would put the order into a codicil, that the world might be sure she knew what that order was. The house will feel that my situation would have been a most responsible one, if I had come down to state to government and to the world, such matter as a private order from the deceased Queen; her majesty made a memorandum first, and the codicil afterwards spoke for itself: still I felt that the trust imposed upon me might be attended with difficulty in its execution; and I shall now state to the house what passed with lord Liverpool upon the subject. Lord Liverpool said, when the codicil was read, that it was impossible for the king's government to have such a plate fixed upon the coffin, because it would be pronouncing a censure upon them, I answered that nothing could be further from the intention of the executors. Lord Liverpool then said, that he made much allowance for my motives, but that government could not do the thing; if the executors did it, it was their own concern. I never entertained the slightest doubt, from all that passed, that lord Liverpool's intention was this—government can have nothing to do with it; if it is done by the executors, no notice will be taken of it. I did believe, that if lord Liverpool entertained any other intention, he would have distinctly avowed it, leaving me to make it known to the world that I had done my best, though unsuccessfully, to obey the orders of my mistress. The plate was not ready until the morning of the 14th of August. Mr. Wilde had undertaken to be ready at Brandenburgh-house to fix it on the coffin before the departure of the funeral; but his carriage being delayed by the pressure of the crowd, prevented him from reaching Brandenburgh-house in time. No other opportunity occurred while the body remained in England, except that which was made use of at Colchester; and I do not hesitate to declare,

that it was after much painful consideration, that I adopted the course which was finally carried into execution. On the one hand, I did feel a reluctance to fixing the plate in the church; on the other hand, it was the last opportunity likely to be afforded to me, of keeping the promise I had so solemnly made. Now, what is the course which, under such circumstances, I ought in duty and in honour to have taken? For I do pray the House not to look at the matter with the cool calculation of after deliberation, but with reference to thefeelingsby which parties, at such a moment would be actuated. I took the alternative, which I believed to be the best; and if the thing were to occur again, and I had, as then, pledged my honour to my dying mistress, to fulfil her last intentions to the best of my power, so help me God! I would again pursue the same course. I know that I have been charged with having had no respect for the house of God—I know that canters and methodists, who, at the time, approved what I was doing, have since been base enough to tell other tales; but, if the House thinks that I have erred from the true path of my duty, I can only say that I have erred honestly, and with an intention to do the best. I took the opportunity when the church was nearly empty; the plate was fixed on in less than three minutes; and it was not until after it was actually fixed on, that any representation was made to me upon the subject. As I was about to leave the church, a communication with regard to the plate was made to me by the illustrious Mr. Thomas. I remonstrated against what was intended, and at last entreated that, before it was removed, an express might be sent to lord Liverpool, that the orders of government might be taken; for I felt confident that his lordship would not order it to be taken off. Of the confusion which occurred afterwards I know nothing. I left the church at once, and did not return until all was over. I heard that the military had been called in, but I know nothing as to what then happened. Nothing disgraceful or indecorous took place while I was present. On the morning following this transaction, the funeral procession proceeded to Harwich. And here the House is not in possession of all the circumstances which afford ground of complaint. I complain that, the procession having arrived at Harwich, the body was taken out of the hearse and carried along the quay with the utmost rapidity. Such was the fact, and I defy any eye-witness of the scene to deny it. But I will state another circumstance connected with this needless and indecent haste. There was no pall put upon the coffin when it was taken out of the hearse. It was carried to the boat without one; and I do think that even the most extreme expedition might have allowed a few moments for the putting on of a pall, for enabling the attendants to leave their carriages, and to divest themselves a little of that dust and dirt which rendered their mourning scarcely decent.—The learned doctor continued. What he again complained of here was, not that the body had been removed without his accompanying it, but that half an hour had not been given for decent and necessary arrangement. That such haste with the coffin had been unnecessary was clear, because he did not leave Harwich for an hour after; but he did believe that never had the funeral of any individual of rank been conducted with such a disregard of decorum and solemnity. Such improprieties could not have occurred, if, instead of the persons he had mentioned, the hon. member for Huntingdon (Mr. Calvert) had joined the procession at Brandenburgh-house. And here he felt it due to the hon. member to state, that he deserved his thanks for the manner in which he conducted himself. That hon. gentleman had discharged his duty honestly towards his employers; but, at the same time, with kindness and urbanity to all who were concerned, on the part of her late majesty, in the removal of her remains. When they came to Harwich, so little was known of the intentions of government, that no adequate preparations had been made, beyond those which were necessary for the reception of the hearse. The friends of her majesty, who had accompanied the procession thus far, were, in consequence, prepared to go back to London. The hon. member for Huntingdon appeared to be precisely in in the same situation that he (Dr. L.) was in; with this difference—that he had authority to command assistance, while he (Dr. L.) had no power whatsoever. The hon. member, in this state of affairs, pressed at once into the service ten of the undertaker's assistants, who were compelled, much against their inclination, to place themselves and four carriages on board the vessel; and certainly a more doleful spectacle he never saw than that

which they exhibited. When they arrived at Stade, such was the extreme difficulty of landing the body, that he was obliged himself to give all the personal assistance in his power. With great difficulty the landing was effected; and if it had not been for very considerable exertions, the remains of her majesty must have continued in the hearse throughout the whole time, or they must have been removed in a manner degrading and disgusting. On the landing of her majesty's remains, an officer of the Hanoverian legion was asked whether any intimation of the proposed interment had been forwarded to Brunswick? His answer was, that they knew nothing about it. He was then asked, whether he would proceed to Brunswick to make the necessary arrangements? and he replied, that he could not without authority. He stated, however, that he would go to Hanover, to learn what course was to be pursued. This he did; and he came back in time to Brunswick, to state what was to be done.—He now came to the selection of persons to attend her majesty's remains. The earl of Liverpool's directions to him were, "You may select from the Queen's household such persons as you think fit to attend the funeral;" thus leaving to him (Dr. L.) the task of selection; that selection, however, being confined to those who belonged to her majesty's household. He did use the power of selection which was thus given to him, and it was with great pain he found that his conduct, in exercising that authority, had incurred the displeasure of one of the members for the city (alderman Wood.) When first the hon. alderman stated to him his wish to attend the funeral, he (Dr. L.) declared how anxious he was to set down his name. This, however, was before he received the directions which it had pleased the earl of Liverpool to communicate to him. Those directions referred exclusively to her majesty's household; and how, he would ask, in the name of honour, could he put down the hon. alderman's name as one of her majesty's suite? The House would, however, guess his astonishment, when, three weeks afterwards, he found the letter which he had written to the hon. alderman on this subject, printed in the public newspapers, together with a comment. This was the more extraordinary, because he had met the hon. alderman at Brunswick, and at that time he had made no complaint. It had been stated, that he received a *carte blanche* from the earl of Liverpool, to fix on any four names he pleased. But he had no such *carte blanche*. The fact was, that he was allowed to take one individual to act as German interpreter, and three others, to fill up the number, who were to be selected from the household. He trusted the hon. alderman would feel that he (Dr. L.) would have been the last man to have interposed any obstacle to his attending the funeral of his own creation. But it surely would have been very bad taste if he had, after the specific directions he had received, offered the hon. alderman a place, his eligibility for which might have been disputed. He conceived that he had some reason to complain of what had been stated on this subject; and he would now say, that he should have acted on the same principle, if instead of the hon. alderman, it had been the dearest friend he had alive who was concerned. He had now, to the best of his recollection, explained circumstances which were misrepresented at the time, and he hoped the House at large would do justice to the propriety of his motives. If errors and mistakes had occurred in the course of the proceedings to which the attention of the House was that night called, they were on his part wholly unintentional. Her majesty had been pleased to honour him with her confidence generally in the absence of the hon. members for Winchelsea and Nottingham (Messrs. Brougham and Denman). When the trial was over, he thought his vocation was at an end; but some months afterwards, when he had little time to spare, his professional exertions were again called for. He mentioned these circumstances, because he deprecated above all things the idea that he had become at any time her majesty's political adviser. That duty, he felt, was in much better hands. As to the motion before the House, he must say (acquitting lord Liverpool of any desire to show disrespect to the remains of the Queen) that the preparations for the funeral were not such as were adequate to the occasion. In his view of the transaction, proper persons were not employed, and proper care was not taken, to conduct the funeral as it ought to have been conducted. Too much had been left to chance—decency had been violated—proper respect had not been paid—and the feelings of the country had been grossly outrag-

The Marquis of *Londonderry* thought it due to the learned gentleman to state, that he had met the point at issue, in a very fair and candid manner. After the able explanation of his right hon. friend (Mr. Peel), and the clear statement of his hon. friend (Mr. Calvert), the duty he had to perform was narrowed to one or two points, contained in the speech of the learned gentleman. By what had fallen from the learned gentleman, it was evident that the earl of Liverpool had done every thing in his power to facilitate the duties of those who were connected with the funeral. No blame could fairly be attached to the presence of the military; for he found the learned gentleman declaring, as executor, that it would have been a manifestation of disrespect if they had not attended. In short, he had very little necessity to step forward and defend the conduct of ministers, since it would be quite sufficient to quote the learned member's speech, in the course of which he had swept clean away every accusation that could be brought against them, as this was the case, he would leave the conduct of ministers out of the question, and apply his observations to certain points which required explanation. He would first look to the true position of the parties at the time—a point which the learned gentleman had not stated. The learned gentleman conceived it to be necessary that he should, by some act on his part, have divested himself of the character of executor, before the ordering of the funeral was taken out of his hands: and, as he had done no such act, he inferred that it was in consequence of some special order issued by the earl of Liverpool that the funeral of her majesty passed from his hands, as executor, and was intrusted to those of the government. He had argued that if every thing had been conducted in a regular and suitable manner, he would have remained to the last, as the acting person. Now, he (the marquis) would contend, that though this might have been the case with respect to an executor under ordinary circumstances, yet the rule did not apply where a member of the royal family was concerned. The learned gentleman was informed, on the first interview he had with the earl of Liverpool, that the expenses of the funeral would be borne on the part of the Crown and of the public. This the learned gentleman admitted; and he also admitted that the earl of Liverpool was most anxious to hear and weigh every suggestion connected with the decorum of the ceremony. The noble earl would not, however, allow, that the superintendance of the funeral belonged to the executors: he could not suffer them to be responsible for that which belonged to the government and the country.—He now came to the mode in which the funeral was conducted, and which appeared to be the only point that bore at all on the servants of the Crown. The learned gentleman had argued, that the persons to whom the funeral was intrusted, were not suitable to such a charge. He, however, must oppose the description which the learned gentleman had given of them. Mr. Thomas was, in every respect, a gentleman; and the conduct of the learned doctor in leaning so much against that individual, did not correspond with the general liberality that characterized his speech. But, what was the fact with reference to the employment of this gentleman? It was merely this—Mr. Thomas acted under Mr. Mash, and was the next officer in the department. If Mr. Mash had been in England, it would have been proper to ask why he had not attended. But he was then in Ireland, busily employed in making preparations for those festivities to which the visit of his majesty gave rise. In his absence, Mr. Thomas was employed; and it ought to be observed, that Mr. Thomas was the person who, a short time before, conducted the funeral of the late duke of Kent, and conducted it, as was admitted on all hands, in a very proper and decorous manner. The circumstance he had stated showed, that it was the desire of his majesty's ministers to manifest every respect to her majesty's remains. They sent the secretary of the department to take charge of the funeral from Harwich to Brunswick; and they confided the previous proceedings to the highest officer who was immediately on the spot. What blame could attach to ministers when it was apparent that they made use of the whole force which it was in their power to lay their hands on? It was stated as matter of charge, that Mr. Thomas arrived at Brandenburgh-house with no other authority except a *programme* of the procession. What other authority did he require? He had received his orders from the government; and certainly he had no consent to obtain from the learned gentleman. If the learned gentleman knew Mr. Thomas, and was aware of his business, he ought to have respected his authority. The con-

duct of Mr. Thomas appeared to have given the learned gentleman much offence: but it was evident that Mr. Thomas thought the learned gentleman meant to obstruct his authority; and that obstruction he felt he was bound to oppose. But it was said that sufficient ceremony was not used at the funeral. Let the House look candidly at every part of the transaction. Government, acting on their own responsibility, directed the funeral, and they did all in their power to have it conducted with due solemnity. Now, what was the first difficulty which the learned member interposed? What was the nature of the proposition which he made; and what was the wisdom, as proved by the result, which directed it? The learned gentleman called for delay. Yes; though he admitted that her majesty's directions were explicit on this subject—though he knew that she had directed her remains to be removed from this country within three days, still he wished the funeral to be postponed. Here, he must say that he agreed with his hon. friend, who expressed his opinion that her majesty was not anxious for great funeral pomp, nor for that popular pageantry from which, perhaps, she had not derived great advantage in her life-time. There was no reason for supposing that any such feelings operated on her majesty's mind. But what was the learned gentleman's motive for demanding delay? "I have (said he) no reason to think that preparations will be made at Stade by the time the body arrives there; and I will not allow it to be removed until such preparations are completed there." What was this, he would ask, but a dereliction of his duty as an executor? Was it not acting in contradiction to the course which her majesty wished to be taken? Would it not have had the effect of keeping the Queen's remains in this country, contrary to her desire, for three weeks or a month? At that very time orders were given to have a supply of horses on all the roads; and surely nothing could be more idle or more unnecessary than to delay the funeral under such circumstances. He had a letter, from the secretary of the department, in which it was stated, that the body was landed on the 23rd at Stade, after a favourable passage; and so complete were the arrangements, that it arrived at its destination, without encountering even a day's delay on the road, on the 26th. Therefore, the decision of the earl of Liverpool was most correct. Baron d'Este, on the landing of her majesty's remains, sent forward a courier with the necessary directions, and every thing was done to expedite the ceremony.—The whole question then, narrowed itself into what occurred on this side of the water; and every one of the proceedings here could be defended without difficulty. As to the removal of her majesty's remains, could any course be pursued with propriety, but that of obeying the instructions contained in her majesty's will, as far as those instructions could be followed with a due regard to decency and solemnity? Her majesty desired her remains to be removed at the earliest possible period; and certainly the learned gentleman had communicated to the earl of Liverpool, if not the whole of her majesty's will, at least the codicil which contained that direction. The earl of Liverpool acted in the spirit of that codicil. He saw no reason for delaying the ceremony, and he gave the necessary directions. The first idea was, to have the funeral on the Saturday, her majesty having died on the Tuesday. Saturday was however, on reflection, considered to be too early a day. Monday was then mentioned and Tuesday was, in the end, preferred, as a more favourable day. No objection was made to the solemnization of the funeral on that day, and he believed the learned gentleman himself had stated that he was satisfied with the arrangement. How, then, could any imputation of an undue acceleration of the Queen's funeral be cast upon the sovereign? The House would go before him in perceiving, that the arrangement was made here, and that his majesty could have no motive in hastening the day. Having been accidentally in attendance on his majesty at Holyhead at that time, he could state, that it was not till two days after the death of her majesty that intelligence was received of what had taken place. His majesty had no other anxiety on the subject, but that an arrangement should be made, with every respectful attention befitting the solemnity of the occasion. He wished that the ceremony should be conducted in that solemn and respectful manner which was due to the obsequies of every member of his majesty's family. During the period to which he alluded, all those marks of respect which were customary on the decease of the royal family (such as lowering the flag, &c.) were observed, and his majesty never appeared on deck;

except when he was obliged. As to the influence which her majesty's death produced on the king's visit to Ireland, it had nothing to do with this question. The Irish nation ardently expected his majesty's presence; and, after the notification of the arrangements which had been made for his reception, much public inconvenience would have arisen, had his visit been postponed. This, however, had nothing whatever to do with the arrangement of the Queen's funeral. That arrangement was made in this country, and his majesty had not in any degree influenced it.—With respect to what took place between the learned gentleman and Mr. Thomas, in the fulfilment of the duty which devolved on the latter, he begged leave to place that transaction in its true light. It certainly appeared to him, that the learned gentleman had no right to do what he had done. It was, on his part, an interference without authority. The remains of her majesty were in the hands of others, and not in his hands. Those who conducted the funeral to the coast declared that they would prevent the affixing a certain plate to the coffin, while her majesty's remains were in the hands of the officers of government; but they made no observation on any thing that might happen at Stade or elsewhere. While her majesty's remains continued in the hands of the officers of government, they felt it their duty to resist the placing an inscription on the coffin, which must be offensive both to the Crown, and the servants of the Crown. They never admitted, that the learned gentleman, as executor, had a right to take away the inscription already on the coffin, for the purpose of affixing, with his own hand, another inscription of a very different kind. Such a proceeding would have been an improper and contemptible evasion of a plain duty; because, admitting such a course to be taken by the learned gentleman, it would, though the act were done by his hand, be a direct deviation from the wishes of government. Those who had the charge of her majesty's remains, at the moment to which he alluded, merely said—"So long as those remains are under the care of officers employed by the British government, no such inscription as that proposed by you shall be placed on the coffin. As to what may be done afterwards, we neither know, nor is it our province to hazard any opinion about it." He now came to what occurred at Harwich, to which the learned gentleman had given a higher degree of colouring than the statement of his hon. friend (Mr. Calvert), or that of the secretary to the home department warranted. It was stated, that when the funeral reached Harwich, the tide was falling, and if advantage were not immediately taken of it, the body would be 24 hours longer on shore, unless it were embarked at night. It was, therefore, determined that the embarkation should take place immediately; and he understood that the great mass of her majesty's attendants were assembled before orders were given for the solemn ceremony of lowering her remains into the barge. An hon. and gallant officer was present, and that gallant officer had done every thing in his power to render the embarkation as respectful and solemn as possible. If any inadvertence was observable in the arrangement, it could only be attributed to the undertaker's assistants; and was that, he would ask, a fit ground for a grave charge against his majesty's ministers? Was the mind of parliament to be brought back to matter of the most painful reflection, because the undertaker had failed in some part of his duty? The question for the House to consider was—whether any intention to treat her majesty's remains with disrespect existed in the minds of ministers? The learned member had panegyrised lord Liverpool, he had panegyrised lord Melville and the Admiralty—in short, he did not know whom the learned member had not panegyrised, except those officers of the government to whom the care of the funeral was intrusted, and who, he thought, had endeavoured to conduct it with every proper respect. As to the alleged rapidity with which the funeral moved along, he could not join with the learned member in visiting it with censure. He could not agree with the learned gentleman in thinking that the funeral should have been delayed on the road, because riots had occurred in its passage through the town. Preparations were made at Chelmsford for the reception of the body at a certain time; and it would have created much inconvenience if it had not arrived at the prescribed period. Was it to be said that, because the first stage had not been gone so rapidly as had been expected, therefore, the other stages must be deranged? With respect to the refusal

to defer to the city of London, and proceed in compliance with the wishes of the common council, he thought the explanation he had to give was abundantly satisfactory. If the wishes of the common council had been communicated before any arrangement had been made, it might have been considered whether they ought to be acceded to; but he held in his hand the letter which was written in answer to the prayer of the common council, and which showed that the question was, whether the arrangements which had been made should be changed in consequence of their wishes. He put it to the house, whether, after the arrangements had received the sanction of his majesty, it would have been fitting to change them, because the common council wished it? He was not disposed to speak with disrespect of the common council, however he might differ from them in opinion; but certainly there had been nothing in their conduct respecting the Queen, which should have disposed the government to conduct the funeral out of its way to gratify them. He had never heard that they had asked to pay the same respect to the memory of her majesty, queen Charlotte. It was true, the course of the funeral had not been through the city; but that was no reason why the common council might not have expressed a similar feeling of respect. He could not see any reason why this funeral should have been particularly honoured in this way, or why it should make a detour through the city, for the purpose of canonizing her majesty. But this was not the question. The question was, whether the government would have been justified in directing the funeral to go out of the way, for the purpose of honouring her majesty or the common council? The government felt a great relief in the consideration, that they were acting in unison with her majesty's desire, but they had had a great duty imposed upon them, not to suffer her majesty to be again made the vehicle for a faction and a cabal in this country. The first intention had been, to have the funeral conveyed by water; but the navigation of the river presented so many obstructions, that this intention was abandoned. Not only were the last wishes expressed by her majesty in favour of a private funeral but every principle of propriety connected with the tranquillity of the country, indicated that course. Looking to the whole of this subject, he deeply lamented that the attention of the House and the country had again been drawn to it. He thought that the sooner it was dropped, and a veil was drawn over the lamentable transactions connected with it, the better. He could not look back without pain and grief on the shameful attempt which had been made to turn the tragical circumstances of that day, into the means of invading the public peace, and disturbing the public tranquillity. It was one of the most atrocious attempts to oppose the execution of the law, and to obstruct by force, the officers of the Crown in the discharge of their duty, that had ever disgraced the history of the country, and one upon which he should never reflect without regret and sorrow.

Mr. *Hobhouse* said, it was not his intention to have trespassed upon the House, had it not been for some expressions which had fallen from the noble lord, and the right hon. secretary. He had hoped, that they were not, at that time of day to be told that those who advocated the cause of the Queen were a faction and a cabal. He had hoped, that the people of this country would no longer have been termed a faction, because they had come forward with honest and manly sincerity in behalf of one whom they conceived to be suffering under the strong grasp of power, and to have been made the victim of the most unjust persecution to which any individual, in any age or country, had ever been exposed. If by the word faction was meant a vast majority of the people of England, in fact, the whole of the nation, except those whose interest it was to join in the persecution, then he could understand how it might be applied to those who advocated the cause of her majesty. But the term faction could not apply to the nation at large; it was applicable only to a few designing, base, intriguing, interested individuals, who had meanly endeavoured to raise themselves upon the ruin of a woman—and that woman a Queen, whom it was their duty to protect, the wife of their sovereign, to whom, instead of fostering his prepossessions, it was their duty to give sound and manly advice. These individuals where indeed, a factious cabal. It was not a portion of the English nation, but the whole of the people who had taken the part of the Queen. The generous sentiments which they had expressed in her behalf, would be confirmed by posterity;

and, notwithstanding the efforts of the noble lord to suppress the inscription of "the Injured Queen," it would be attached for ever to the name of Caroline Queen of England; it would remain an indelible proof of the meanness of her persecutors, who would not even suffer her to rest in her grave, and who were base enough to stigmatize all who came forward in her defence. He was not often in the habit of using warm language in that House, but he could not refrain from expressing the language of his heart on this occasion. In undertaking the defence of this lady, he not only undertook her defence, but the defence of the people of England. The language which the right hon. secretary had permitted himself to use that night, appeared to be borrowed from a leaf in the book of another right hon. gentleman, from whom it came with as little grace, though perhaps with somewhat more of effect. It was an extraordinary, though not quite a new doctrine in that House, that there should be any portion of his majesty's subjects who were not entitled to protection, that there should be a floating portion of the populace, who were to have no protectors or friends, and who were to be exposed at all times to all the abuse, and contumely, and injury which the right hon. secretary, or the right hon. gentleman whom he condescended to copy, might think proper to heap upon them. As long as he had the honour to sit in that House, he would never cease to raise his voice in behalf of this despised portion of the people. The right hon. secretary had thought proper to say, that his hon. friend, the member for Aberdeen had made, the observation of a tailor [a member suggested that the words were "fit for a tailor"]. Well, he would suppose the words to be "fitted or suited to a tailor," for he might not have entered into all the wit as well as all the refinement of the right hon. secretary's observation. He must say that this was an observation which he should least have expected to hear from the right hon. secretary; and he could not help reminding that right hon. gentleman, that it ill became him to make any disparaging allusions to a branch of humble industry. To say that the observations of any member of that House were only fit for a tailor [the appearance of Mr. M. A. Taylor, who walked up the House to his seat at this moment occasioned much laughter], was language which he could only attribute to the novelty of the right hon. gentleman's situation. *Res dura et regni novitas.* It was language ill suited to the abilities or the station of the right hon. gentleman, and the right hon. gentleman should take care what language he used, when he attacked his hon. friend. His hon. friend was well able to defend himself; but he must say, that if a question arose as to what course was most decent and decorous in regard to the late transactions, the country would have little difficulty in deciding between the claims of the right hon. secretary, and his hon. friend. It was much to the credit of the right hon. secretary, that while he was out of office he had taken no part whatever against the Queen. He had made one speech on the subject; but in that speech he had expressed no opinion of the general policy of the measures which had been taken against her majesty. He was at a loss, therefore, to conceive why the right hon. secretary should now come forward to take upon himself a gratuitous responsibility. He could readily account for the observations which had fallen from the noble lord opposite, with regard to the common council, because that body had expressed an opinion in unison with every other city of the empire. The noble lord had talked of the Queen of England repenting on her death bed of the relative situation in which she had stood towards the people of England, and lamenting the little advantage which she had derived from them. He had stated also, that she wished her remains to be interred with none of the pageantry or pomp which the people were desirous of forcing upon her corpse. This was, indeed, very extraordinary language. The Queen knew what the people had done for her; and the House knew what the people had done for the Queen. The earl of Liverpool had declared, in another place, that he gave up the bill of pains and penalties, in consequence of the opinion expressed by the people of England in favour of the Queen. The noble lord had no authority for saying that it was the Queen's wish that her funeral should be private; for this wish neither appeared on the face of the will, nor was it at any time communicated to her confidential advisers. The noble lord affected to have obeyed the injunctions of the Queen; but how had he obeyed them with regard to the inscription on her coffin? He had, in fact, disobeyed them wherever it served

his purposes, and had only obeyed them when they were alleged to be in conformity with his own intentions. The noble lord contended that the executors had no authority or control over the body of the Queen, because she was the king's wife, and not a subject. The noble lord held very different language at the period when he persecuted the Queen; for then it was contended, that she was not the king's wife, but a mere subject; Then she was termed an illustrious lady, and there was no term of insult or disparagement which was not employed to degrade her in the eyes of Europe. It was a little singular, too, that only a deputy's deputy in the Chamberlain's Office could be found to execute this last martial office of the king, if this duty were taken from the executors with a view of doing honour to the Queen. The main question was, whether or not the Queen's funeral had been conducted with that decency and respect which ought to have been shewn towards the remains of the Queen of England? From all he had seen, he was ready to answer distinctly in the negative, and to declare that there was not the least appearance of respect towards her from the beginning to the end. With regard to the troop of soldiers that attended the funeral, his learned friend seemed to approve of it. It should be recollected however, that a confidential friend of her majesty, one of her ladies in waiting, had intreated his majesty's government not to employ any troops on this occasion, and had expressed a strong conviction, that if they were employed bloodshed would ensue. For his own part, he saw no necessity for the employment of these troops; but even supposing them to be necessary, he begged the House to recollect, that it was not the guard of honour which occasioned the fray. It was not his intention to have adverted to that fatal catastrophe, but the right hon. gentleman had characterized it in language which called for some observations.—He had talked of the necessity of putting down the opposers of the law. What law, he should be glad to know—the law of the sword? He knew of no other law which could authorize gentlemen in red coats to cut down and fire upon the people. The Riot act had never been read. What law, then, he should be glad to know, did the people oppose? In fact, no law had been opposed, except by his majesty's government, who had, on many other occasions, violated the law in the same way, and had at all times shewn themselves willing to accustom the people to military execution. He did not throw out this observation accidentally; for it was his deliberate conviction that, for the last twenty years, the government had shown a systematic desire to accustom the people on all occasions to the interference of the military. He could state most distinctly, that no disturbance whatever took place in the park, until a party of horse guards rode by with swords drawn. Some groans and hisses were then raised on the part of the people, but no stones were thrown. It was not the soldiers, however, that the people of England had to complain of; but the government of the country, who had on all occasions shewn themselves prodigal of the lives of the people. The indecent haste with which the funeral had been hurried from London to Harwich was another point which the noble lord had failed in answering. The noble lord had said, that it was incumbent upon ministers not to suffer the funeral to be turned out of the way. Now, what he complained of was, that the funeral was turned out of the way by ministers. The corpse of the Queen had not been dragged about by the people but by the government. The conduct of the people had been most exemplary throughout the whole of the transactions of that day; nor was any violence offered to the military, until they had reason to believe that they were going to be sabred, and that the scenes of Manchester were about to be renewed in London. It was true that he (Mr. H.) had advised his gallant friend (sir R. Wilson) not to stir from his place; but he had done so, because he felt, as he represented to his hon. friend at the time, that whatever he might say or do was sure to be misrepresented by those who were interested in putting an unfavourable construction upon his conduct. The question was not whether some of the more minute arrangements, upon which the noble lord had dwelt so much, had been sufficiently attended to, the question was not whether a sufficient quantity of crape or velvet had been employed—but whether the whole arrangements were such as were calculated to pay respect to the memory of an unfortunate Queen. He had no hesitation in declaring that they were not, and in that opinion he should be confirmed by posterity.

Colonel *Cavendish* said, the soldiers were pelted as soon as they appeared.

The officer commanding had said, that on no occasion, when he had assisted the civil power, had he seen such ill treatment. He begged the House to recollect what had fallen on a former night from a gallant member, (sir R. Wilson) who had seen much service, and done great honour to his profession. That gallant member described the appearance of the soldiers to be that of a troop of cavalry which had been repulsed. The moderation and forbearance of the life guards had, on all occasions, been spoken of with admiration; and it was not likely that they should alter their conduct on this occasion without absolute necessity. He held in his hand a return from the surgeon of the regiment, which was made out on the 15th August, from which it appeared that 37 men were seriously injured. Nine remained a considerable time in the hospital, and one received so severe a wound in the shoulder, that he had been since discharged. It was said that a soldier forfeited none of the privileges of a citizen, and surely one of those privileges was the right of defending himself when he was attacked. The conduct of the life guards had been marked throughout by the utmost forbearance, nor had they employed violent measures, until they were compelled to resort to them in self-defence.

Sir *I. Coffin* felt satisfied, that no good could possibly arise from again bringing the case of the late Queen before parliament and the country. He was tempted to exclaim—"Infandum, regina, jubes renovare dolorem," when he reflected on the conduct of those who were injudicious enough to recall the attention of the House to this subject.

Mr. *W. Lamb* denied he had ever said that the mob were the only supporters of her late majesty. When he spoke about a mob, he had made no allusion to the people of England, nor could he consider the people of England as responsible for those acts which were done by a tumultuous rabble, of whose conduct they must disapprove. With respect to the question before the House, he would say, that he could not approve of the conduct of government, in ordering the route which they did for the Queen's funeral. He thought it should have been allowed to pass through the city. He thought so, because he had the greatest confidence in the quiet dispositions of the people. In seasons of excitement, he had seen them evince a steadiness which he was forced to admire. He could have wished the whole subject to have been buried in oblivion. On her majesty's death he had thought that it would be so, but he was sorry afterwards to see attempts made to prolong dissentions and to continue animosities. It had not only been stated in conversation, but had appeared in print, that she died of the persecutions to which she was subjected—that her heart was broken by indignities which she was called upon to endure. It did not become him to say what was the cause of her majesty's untimely end. It would be presumption in any one to decide whence the blow came. But if her majesty did fall a sacrifice to bitterness of spirit and to wounded feelings, he was persuaded she owed it to the step which she was advised to take in coming to this country, and exposing her conduct to the inquiry which it underwent.

Mr. *Denman* said, that if there was boldness in his learned friend's ascribing, as he had done, the untimely death of her majesty to her coming to this country, it was equally bold to aver, that in coming here she had acted on the advice of others, and not on the decision of her own uninfluenced judgment. When the House considered the treatment which she had received abroad—when they considered the conduct of government towards her—when they considered the threats and bribes with which it was attempted to keep her from our shores, they would see that she had no alternative but to come to England, no course left but to face her accusers. When she left Italy, and before she had taken counsel of any adviser but her own magnanimous spirit, her resolution was fixed to come to this country. When she arrived at St. Omer's she was to all intents and purposes in England, and must have acted as she had done, unless she had chosen to sacrifice her rights and to abandon her character. She had faced her accusers and she came to triumph. Nevertheless, calumnies continued to be heaped upon her, which banished her friends, and prevented her from enjoying that universal respect which the establishment of her character would otherwise have procured. His hon. friend had ascribed those sufferings which broke her majesty's heart to her imprudence in coming to England. But, were none of them to be ascribed to the atrocious libels with which, after her trial, she was

assailed? Were none of them to be ascribed to the systematic efforts of a publication established for the express purpose of calumniating her, of banishing, by falsehoods and slander, every respectable female from her doors, and of driving her from society? There were two questions involved in the motion before the House. Did ministers act right in ordering the route which they had done, for the funeral procession, and was there a proper degree of respect shown to her majesty's remains? Nothing could be more absurd or provoking than the conduct of government. It was well known that no feelings of respect and attachment were ever stronger than those entertained by the citizens of London towards her majesty. What was there to find fault with in their feelings, or why should they be denied the melancholy gratification of witnessing her funeral? It was true, her majesty directed that her funeral should be conducted with as little pomp as possible; but could she be understood, by the clause in her will, to decline that spontaneous homage of the heart which the inhabitants of London were prepared to pay her remains on the direct road through the city? The assembled people on this occasion could not be called a mob—it was composed of the respectable part of society, of the middle and lower classes. Why refuse them the gratification of their wish to see the funeral procession of her whom when alive they respected and honoured? The act was ill judged and cruel. With regard to the question of the respect to her majesty in the arrangements for her funeral, he was happy to hear what had been said by the noble lord and the right hon. secretary. When he found that a gallant officer had been ordered to pay all proper respect; when he found that the admiralty had neglected nothing that lay in the power of that department; and when he heard the noble marquis stating that the illustrious husband of the deceased had not only received the news of her death with feelings that did him honour, but that every becoming solemnity was observed by the fleet, he began to doubt whether the blame lay with the government, and whether the present motion was necessary. The charge against the government had been in a great degree removed, and if so, he saw no reason for persisting in the motion. He was sure that the great heart of her late majesty would not have wished that any thing which concerned her life or her death, should be perverted for factious purposes. It was not at her wish that she had been placed in the situation which she occupied during the last months of her life. She was dearer to the people by the persecutions which were directed against her. His hon. friend had expressed a wish that all should be forgotten; and he (Mr. D.) would not disturb the ashes of the dead, but, without violating any duty, he would demand whether proper honours and respect had been paid them? The tone adopted by the right hon. secretary, was satisfactory, as being different from that employed formerly by his majesty's ministers. That right hon. gentleman deserved the thanks of his colleagues for coming forward to defend measures in which he did not participate—the measures of an administration which had found the country flourishing and tranquil, but which had made it the scene of transactions, the most dangerous the most degraded, and the most stigmatized, that ever cursed the annals of any nation.

The motion was negatived without a division.

ARMY ESTIMATES.] On the orders of the day for going into a committee of supply to consider further of the Army Estimates, Mr. Hume and Mr. Bernal objected to going into a committee at that late hour. The House divided. Ayes 116. Noes 28. On the motion, that the Speaker do now leave the chair, the House divided. Ayes 118. Noes 21. The House having resolved itself into the said committee, lord Palmerston moved, "That 70,756*l.* 7*s.* 11*d.* be granted for regimental contingencies."

Mr. *Hume* said, he had no wish to throw any impediments in the way of the public business, but it did appear to him, that, after the House had been occupied seven hours upon a most interesting debate, it could not bestow that attention to the proposed vote which it demanded. The first item was 37,000*l.* for marching allowances, and for other purposes. This item was not in the estimates last year, and he trusted, therefore, that the noble lord would state why he had introduced it on the present occasion. There was an item of 6,000*l.* for supplying the table at St. James's, of the life and foot guards. Now, to no other regiment in the army but the guards (except those stationed in Ireland)

was any allowance made for mess, beyond the general grant. Up to 1793, no charge was made in the estimates for the support of any table for the guards. The practice previously to that time had been this: a table was kept by the senior officer of the guards on duty for the time being. The officer was remunerated for this by receiving money from those men who were permitted to go out to work for a certain number of days; the payment they received for which was called outlyers' money. He was willing to admit that such a system as this was injurious to the service, and that it ought to be abolished. But he objected to the practice which had been substituted. It appeared that the number of officers on guard, when the king was in town, was five; when he was not in town, the number was reduced to three. These officers, however, instead of dining together by themselves, were in the habit of making up a party of about 16, and these supernumeraries were not officers belonging to the guards or any other regiment, but only Messrs. A, B, and C, to whom the officers on duty gave a treat at the public expense. In order that the country gentlemen might perceive the purposes to which the produce of their wheat and barley was applied, he would read a bill of fare for the supply of the table of the officers of the guards. This important document he had drawn from the 8th report of the commissioners of military inquiry. A breakfast was provided at two different periods, consisting of coffee, tea, cold meats, muffins, rolls, bread, &c. A dinner was provided for 16, (that number was now reduced to 13, being about eight more than there was any necessity for), consisting of the best fish, and every thing else that the London market could supply; there were two regular courses, and in the second course were four dishes of roasted. There was a regular dessert of 13 dishes of confectionary, fruits, olives, &c. But the feasting did not stop there. The gallant officers were supplied with madeira, port, and claret without limitation. This was a merry way of carrying on the war. Perhaps the gallant general (Gascoyne), who had attempted to ridicule his exertions on a former occasion, had spent a considerable part of his campaigning in a similar manner. A regular supper followed. And it was to support such a system of waste and extravagance, that the committee was now called on to vote 6,000*l*. Such a scene of profusion must set a bad example to the rest of the army. At all events, if the officers of the guards chose to be extravagant, let it not be done at the public expense. An hon. friend near him proposed to reduce the vote by 4,000*l*.; but he thought it was better to let the guards down gradually, and he would therefore content himself with proposing that the vote should be reduced only one half in amount. The hon. member next objected to the item of 4,800*l*. for the support of the board of general officers appointed to decide upon claims arising in time of war. During the war it was possible that the payment which the board received was not too much; but now, when the board met only once a week, that item ought to be reduced to 2,500*l*. Another item was 8,515*l*. for allowances to field officers and captains in the guards, in lieu of emoluments formerly derived from outlyers. The officers who had entered the guards upon the understanding that they were to receive certain emoluments from outlyers, were entitled when that system was abolished, to receive some equivalent: but all ground for the grant of the equivalent was taken away, when those persons who had entered the regiment in the expectation of receiving emoluments, ceased to belong to it, or were advanced to majorities. He would appeal to the hon. member for Corfe-castle, who had so clearly defined the principle of remuneration, and he would abide by his decision, whether this practice was fair. Another objectional item was 3,000*l*. for printing the acts of parliament and the annual army list. The army list was, he believed, printed under the superintendance of a clerk in the noble lord's office. The profits derived from the sale of the work were considerable, and he should be glad to know whether their amount was credited to the public: 3,000*l*. was an enormous sum to pay for printing. He was convinced that any bookseller (Mr. Egerton, for instance) would thankfully publish the army list without receiving any payment from government. If he did not propose to reduce the item now, for fear of deranging the plans of the noble lord, he trusted the noble lord would spare him the trouble of doing so next year, by abandoning the item altogether. The navy list had formerly been a source of great profit to a family of the name of Steel, until government withdrew its

patronage from that quarter, and placed a sort of official stamp upon the list published by Mr. Murray. If the navy list could be published by a private bookseller, he could see no reason why the army list should not also be published in the same way. Another very curious item was 2,000*l.* for law expenses. He was at a loss to imagine what law expenses were necessary to be defrayed, when they had a judge-advocate connected with the army at a salary of 5,000*l.* There could be very little occasion for resorting to law in the army, when it was seen that ministers could, with the stroke of a pen, dismiss officers without any trial. There was a small item, 50*l.* for the inspection of great coats. There existed two inspectors of the clothing of the army generally; and he could not see why a man who inspected common coats should not also be able to examine great coats. Immediately following this item, was another of 60*l.* for an inspector of regimental colours. He was not aware that sir G. Nayler, by whom that office was held, was particularly qualified to judge of the qualities of silks. If, indeed, it were a question of heraldry, no man could be a more competent judge. The next item to which he had an objection was that of 550*l.* for rent of chaplain-general's office. He had before objected to the continuation of this office. It was one created for a particular purpose in 1792, and he did not think there existed any necessity for it. He now came to an item for the riding establishment at Pimlico. When it was considered, that during the whole of the last war the cavalry had so much distinguished themselves on the continent, and that their riding was never objected to, he did not see what necessity there existed for supporting this school at an expense of 1,450*l.* Out of the sum of 70,000*l.* for contingencies, leaving out 35,000*l.* with which he would not interfere, he thought 15,600*l.* might be saved; but he had not yet gone through half of the list [Cries of "adjourn."] As he did not wish to proceed against the opinion of the House, he would move, that the chairman do report progress, and ask leave to sit again.

Lord *Palmerston* entered into a defence of the several items to which objections had been made. With respect to the clothing, he conceived nothing like a case had been made out. As to the rich bill of fare which the hon. member had prepared for the entertainment of the House, he contended, that the 6,000*l.* which was thus expended, was an allowance given in lieu of some advantages which captains of the guards had been deprived of; and was one-fourth less than the sum allowed in 1793. As to the allowance for losses by officers, it was most reasonable. The noble lord next adverted to the emoluments derived to captains of companies from outlyers, which he said the captains had at all times been entitled to, and ought not to be deprived of. With respect to the per centage on the army lists, it had been given up, and the person who was employed in his office to complete the annual and monthly lists received a regular salary. The law expenses of which the hon. member spoke, were for the most part charges which had no reference to the Judge Advocate, and over which he had no control. As to the expense of inspecting great coats, it was last year only 50*l.*, and was paid to quarter masters for the inspection of the great coats sent to the men; and looking at the benefits of such inspection, he would say that no money was better bestowed. As to the office of inspector of colours, as no regiment was without its peculiar colours, and as these always brought to mind some of their proud achievements, such distinguishing mark, if left to the caprice of commanding officers, might be soon altogether done away with. As to the expense of chaplain-general, seeing that the hon. member had proposed to make a general attack on the property of the church, he was not at all surprised at this objection. But to any one who considered that the men were not made worse soldiers, by being made moral and religious, the expense of that superintendance which went to enforce the strict discharge of their duties would not seem too great. As to the riding establishment at Pimlico, it had been heretofore so much discussed, that he would only refer to what had been already said upon it; but he could assure the House, that the proposed change of the Opthalmic hospital into a riding school would be a considerable saving of expense.

Sir *H. Hardinge* defended the keeping up of the table for the guards, and contended that the junior officers of that corps were worse paid than the officers of the line, who had many allowances which

the officers of the guards had not. In fact, the junior officers might be said to give their services for nothing; for the money they received was not sufficient to pay for their lodgings in town.

The chairman reported progress, and asked leave to sit again.

HOUSE OF COMMONS,

Thursday, March 7.

AGRICULTURAL DISTRESS.] Mr. *Gooch* rose to present a petition from the county of Suffolk, which had been placed in his hands under peculir circumstances. There was no man who was less disposed to allow his own political impressions to sway him, in attending, so far as was consistent with a sense of independence, to the wishes of every portion of his constituents. The petition was perfectly correct, and couched in proper language. It was agreed to at a county meeting convened by the sheriff, at the requisition of the Whig aristocracy of that county principally. There were not more than six signatures of any other party. The requisition was carried round so quietly, that he did not believe its existence at the time was known through that great space of the county from Ipswich to Norfolk. That was the more surprising, because there was not an individual of his acquaintance that would not have signed the requisition. But the great object was, to have a unanimous meeting to take the distress of the agricultural body into consideration. For that beneficial purpose it was arranged that all political discussion should be avoided. The subject of parliamentary reform had, however, been introduced. The sheriff refused to put that question, as it was not stated in the requisition; and he did not wish to take the county by surprise. After that meeting was adjourned, he, with a few friends within a morning's ride of Stowmarket, where the meeting was held, went home. The sheriff received a second requisition, comprehending the question of parliamentary reform, and was persuaded to convene the meeting on the same day. The question of reform was completely carried, and the petition entrusted to his hon. colleague, whose absence from indisposition he most sincerely regretted. That petition, though handed about for six weeks, was not very numerously signed. To a reform of abuses, to the punishment of offences against the law, to the retrenchment of a lavish expenditure, he was as anxiously disposed as any man in that House; but to the specific measure of a change in the state of the representation, he was not prepared to give his support.

Mr. *Coke* observed, that constituted as that House was, he was well convinced that neither the petition before them, nor indeed, petitions from every county in the kingdom, would be attended with any beneficial result. The hon. member had said something which tended to depreciate the character of that meeting; and yet he had admitted that it was most respectable. There could be no surprise on the county, as the meeting had been long advertised. The petitioners looked for parliamentary reform as the only effectual remedy. They were right. It was in vain to look for redress in any other measure. How was it possible, after witnessing the decision of the House the other night upon the subject of the salt-tax, when about 60 or 70 placemen voted at the command of the noble marquis, for any one to suppose that that House would attend to the prayers of the people? The hon. member for Suffolk had himself declared to his constituents at the meeting, that he would support that part of the petition which called for the repeal of the taxes on leather, malt, salt, and other necessary articles of consumption. [Mr. Gooch dissented.] The hon. member shook his head in denial, and he therefore supposed the information was incorrect. But, he was the more ready to believe so, because the hon. member had voted against the proposed repeal of the salt-tax. As to the plan which the ministers had promulgated for relieving the distresses of the country, it had operated most injuriously upon the agricultural interest. The promulgation of that plan had already caused the price of barley to decline from 11*s.* to 4*s.* 6*d.* For his part, he could make neither head nor tail of the noble marquis's oration. Widely different was the speech which his learned friend (Mr. Brougham) had made a few nights previously. The object of that speech was a reduction of taxation, which was easily understood. But when any reduction of taxation was proposed, the noble marquis marched up with his band of placemen and pensioners to overthrow the proposition. In such a state of things, the country could only look forward for relief through the means of a reformed

House of Commons. If the noble marquis desired to see the effect which his plan had produced, he would advise him to proceed to Mark-lane, in company with the hon. member for Suffolk.

The Marquis of *Londonderry* said, that after what had recently passed, immediately affecting the domestic happiness of the hon. member for Norfolk, he had hoped to have found him in a better temper [a laugh.] If the hon. member's mind had not been engaged on a more interesting subject, and he had been left at liberty to attend to the arguments of ministers on the subject of the agricultural distress, he believed the hon. member would have spared some of the observations which he had made. The hon. member had advised him to go to Mark-lane, to see the effect which his plan had produced. Now, he believed the gentlemen at Mark-lane were much more sagacious than the hon. member imagined, and that the granting or denial of reform would be the last circumstance that could affect the price of corn. He was also of opinion, that the gentlemen at Mark-lane would be the first to complain of a reduction of taxation to an extent that would injure public credit. With respect to the question before the House, he was always inclined to manifest great deference to the proceedings of any public meeting, but he could not admit that because the meeting which voted the petition was called a county meeting, it therefore represented the collective sentiments of the wisdom, property, and education of the county.

Mr. *Lennard* said, that his constituents felt a very strong interest in the present petition. The meeting had been convened in consequence of a requisition signed by all parties. That meeting came to an unanimous adoption of the petition. The result of such a meeting would, he had no doubt, be a lesson to the hon. member for the county (Mr. Gooch), and to those other members of that House who did not represent venal places.

Mr. *J. Macdonald* observed, that the ill-timed pleasantry in which the noble marquis had indulged, would, he did not doubt, be a source of satisfaction to his own mind, but it would be viewed with different feelings by the people out of doors, who were anxiously watching the proceedings of that House. The noble marquis had thought fit to taunt his hon. friend, the member for Norfolk, and to allude to some circumstances, he presumed, of a domestic nature. The noble marquis would allow him to say that his hon. friend held a place in the esteem and love of the people which he (the marquis) had never, during the course of his administration, enjoyed. The noble marquis might envy the love of the people which his hon. friend possessed, but he could not deprive him of it. After listening to the observations of the hon. member for Suffolk, he had almost come to the conclusion that there existed within the walls of that House some spell or fascination. The instant honourable members entered that House, their tone became changed, and they not only forgot what they were in the habit of speaking in private, but even what they had said to their constituents at county meetings. The hon. member, upon presenting the petition, had said very little with respect to the meeting at which it was agreed to. He had said it was a respectable one. Now he (Mr. M.) was present, and he would say that the word "respectable" alone was not the epithet which ought to be applied. The meeting consisted of between 6,000 and 8,000 persons, and he would assert that a more respectable meeting never was held in that county. One feeling pervaded the meeting; namely, that the distresses under which they laboured did not arise from any calamitous visitation of nature or Providence: they attributed it to political mis-government, and to that alone; and they called on ministers to grant them political reparation. They did not ask the House for any artificial remedy which might be peculiarly advantageous to themselves. They desired nothing which it was not in the power of the House to grant, consistently with public faith. They asked the most uncompromising and unsparing reduction of expenditure. They also prayed for a diminution of the heavy burthen of taxation. They added that such an alteration in the state of the representation was necessary, as would prevent a recurrence of the evils of which they complained; and whether they were right or wrong in the view which they took of it, the noble marquis, with all his gaiety, had not been able to impeach the solidity of their reasoning in favour of such reform. After all that passed on that occasion, after all the professions and promises of economy, on the part of the hon. member for Suffolk—professions, which were loud enough to

fill the market place; promises, which seemed to assent to all their propositions, except that for reform—what he would ask, would be the astonishment of his constituents at finding that all those promises had vanished into air? What would be the astonishment of those persons who attended at the Suffolk and Norfolk meetings, to find that the two gentlemen (Mr. Gooch and Mr. Wodehouse) whose votes might be said to have decided the balance in favour of a continuance of the salt tax were the very individuals who on the hustings in their respective counties had been the loudest in favour of reduction of taxes. With respect to his hon. friend (Mr. Gooch), he firmly believed that he did intend to fulfil all his promises at the time they were made; but he afterwards suffered himself to fall into the trap which was laid by the noble marquis, and then he found that the public faith must be kept. Now, let the House see how this case stood. Three years ago, the chancellor of the exchequer, the celebrated recorder of resolutions—he who submitted the famous anti-depreciation resolution — came down with a resolution, that it was necessary there should be a sinking fund—he who had annihilated Mr. Pitt's sinking fund, which he had once so much praised. He (Mr. M.) did not doubt the efficacy of a real sinking fund, when it arose from a surplus of expenditure; but then the right hon. gentleman set to work by an artificial system, and after imposing a tax which was equal to four millions in the present day, and at the very time that he was sanctioning a measure, the direct and necessary effect of which was the increase of taxes at the present time by nearly ten millions—after all these artificial means, it was not until the present year that the right hon. gentleman found he had what might be called a sinking fund. Now, during all this time, what had been the conduct of the hon. member for Suffolk? Did he not remember having voted against the agricultural horse-tax, when he used the homely adage of a country gentleman, that "a man could get no more from a cat than its skin." Had he not also voted on the malt tax? Was he not in the majority when the House decided against that tax—a decision which, by the way the noble marquis had, in a manner unexampled in parliament, succeeded in rescinding: but all this time the hon. member had no feelings of conscience on the subject of public faith. This had not at all come in the way of his votes. But, down came the chancellor of the exchequer with a repetition of his former resolution on the subject of the sinking fund, and at once the hon. member finds that it is necessary to support public faith, and he votes for the continuance of the salt-tax. This was a difficulty from which the hon. member would be glad to be released; but if in getting out of it he should say that he had fallen into the trap of the noble marquis, his situation would be worse than before: for though the noble marquis had been understood to state that the sinking fund was to act by simple interest, and the produce was to go to the reduction of taxation, yet it was soon seen, as was frequently the case, that whatever impression the noble marquis's statement might have made on the House, it made none on himself; for having probably got some votes by it, he forgot it himself, and it afterwards turned out, that the simple interest was no longer to be thought of, nor the produce to go as matter of course to reduce taxation. The hon. member for Suffolk could not, therefore get out of his difficulty in that way. There was, however, one way which was still left open for him to get out. Let him look at our enormous expenditure in the collection of the revenue, which was increased fourfold since 1792: let him look at the immense amount of the civil list; let him look at the other branches of our annual expenditure; and then let him ask, whether a doubt could exist that it would not be competent for a willing ministry to reduce those branches by as much as would not only cover the salt-tax, but also the taxes on leather on soap, and on candles? But then ministers would tell the hon. member, that they could not go on with the government if such reductions were made. Let him not trust them too much. They said the same thing with respect to the property tax. They said last year, that if seven lords of the Admiralty were not kept up, let others manage the public affairs, for they could not. But the property-tax was abolished, and they had done without it; and on Friday last, two of the lords of the Admiralty were cut off, and they would go on as well without them. Let the House rest assured, that if reductions on a much larger scale were enforced, ministers would still contrive to carry on the government just

as well as before. With respect to the cause of the distress, he would say that a great part of it arose from that fatal measure, the Bank Restriction act of 1797, which gave rise to boundless expenditure, and extravagant speculations. But, let the causes be what they might, the House was bound to give a remedy. That remedy would be to suit the demand to the supply, and this would be effected by a reduced taxation, for what was taken from taxation was always given to consumption; and what was thus taken might be supplied, he would say by the *magnum vectigal parsimonia*. He admitted that it might be proper to keep up a sinking fund; but if we kept the public debt on a decrease, as we hitherto had on an increase, to argue whether the sinking fund should be three, four, or five millions was absurd, so long as the interest of the public creditor was paid. This was clearly proved by what had already taken place: they had seen that consistent financier the chancellor of the exchequer lay his sacrilegious hands on the sinking fund, and yet the price of stocks had not been varied by it the 100th part of a fraction. A clamour had been raised against those who objected to the financial plans of the right hon. gentleman; but those against whom it was so raised had as much regard for the security of public credit as any gentleman on the other side. They believed that it could not exist while there was a pre-disposition to public disturbance, but that its best and firmest basis must be the ease, repose, and contentment of the people.

The Marquis of *Londonderry*, in explanation, observed, that nothing could have been further from his intention than to make any remark that was calculated to wound the feelings of the hon. member for Norfolk.

Mr. *Gooch* said, that the hon. member had stated, that he had pledged himself to the repeal of certain taxes. Now he begged to say, that he had done no such thing. All he had said was, that he would vote for the repeal of taxes, wherever they could be taken away with safety to the public credit; and that as fast as our expenditure could be reduced, he would support the reduction of taxation. He thought it of the utmost importance, that faith should be kept with the national creditor; and that though we might be a poor, we ought to be an honest nation. The hon. member had stated that the prevailing opinion of the people of England was, that a reform was necessary. That might be the opinion of the populace, influenced by speeches in and out of that House, but he did not believe it was the opinion of the thinking part of the community. In the other assertion of the hon. member, he was inconsistent with himself: he stated, that a disposition prevailed not to petition that House, but in the same breath he described a meeting of 6,000 or 8,000 persons assembled for that purpose. As to the manner in which he should conduct himself in parliament, he wanted not the hon. member's instruction. As long as the freeholders of Suffolk should send him to parliament, he would discharge his duty, 'without fearing the hand of power or the clamour of party. The hon. gentleman seemed to think there was something so fascinating about the noble marquis and the chancellor of the exchequer, that he must yield to them on all occasions. "This," continued Mr. Gooch, "reminds me of a circumstance which occurred to me a short time back, and which, as it is in the hon. gentleman's own way, I shall state to him. I was out shooting the other day with my gamekeeper, when one of the dogs ran after a hare, which, amongst sportsmen, is a great fault, as great perhaps, as the political one with which I am charged on the other side. I said to the gamekeeper 'How's this?' He answered, 'Lord bless you, sir, a hare is the most enticing of all vermin in the world, except a woman.' Now I suppose the hon. gentleman would say, "except the noble marquis and the chancellor of the exchequer." [A laugh.]

Ordered to lie on the table.

GENERAL POST OFFICE.] Mr. *Hume* said, that as no objection would be made to his motion, he would not detain the House by more than one or two remarks. It appeared that the charge of management of the Post-office amounted to 617,962*l.*; and when such a sum was paid, the House ought to be informed of all the particulars of its application. The sum which he had just mentioned was more than a third of the entire revenue of that establishment. It was his intention to have submitted a motion respecting the number of postmasters, but the notice which the noble lord (Normanby) had given having the same object, it would be unnecessary for him to trouble the House on the subject. In alluding to the post-

office, he begged to be understood as not objecting to the general arrangements of that department: they were such as reflected great credit on the gentleman (Mr. Freeling) who directed them. There was one regulation, by which newspapers were sent, free of postage, to all parts of England, Scotland, and Ireland; but this indulgence did not extend to the Colonies; for the post-office charged for transmitting a daily paper, the whole cost of which was not more than 9*d*., the sum of 5*l*. 5*s*. They charged 4*l*. 4*s*. for a paper published three times a week, and 2*l*. 2*s*. for a weekly paper. Those sums were not paid in as part of public revenue, but collected and paid into a separate office as fees, which were afterwards distributed among the clerks. Now, he objected to this on two grounds. In the first place, he thought, that the remuneration of the clerks in public offices ought to be by fixed salaries, and not by fees; and next, he considered, that by loading a newspaper with such heavy duties, a check was given to their circulation, and thereby a great limitation to the consumption of stamps. He had it from very good authority, that if this tax were taken off, the circulation of newspapers in our colonies would be increased by one half—a most important consideration in point of revenue. Besides, he thought the colonies ought to be placed on the same footing with England, Scotland, and Ireland; and when it was considered, that the packets only carried letters and newspapers, the increase on the number sent would be no inconvenience. Another point which he thought worthy the consideration of the House, was that regulation by which the foreign papers were nearly excluded. A French paper, the price of which, annually, did not exceed 72 francs, or about 3*l*., would cost the person who received it through the post-office here, a sum of 12*l*. This necessarily limited their circulation here, which he was satisfied was never in the contemplation of ministers. He was convinced that by an alteration of the regulations in this respect, a great increase would be made in the circulation of newspapers, and thereby a considerable addition to the revenue. He then moved for "an account of the establishment of the general post-office for the year 1822, the names of all the officers, their salaries, fees, and allowances, where those salaries exceeded 100*l*. a year, stating also whether they held any other pensions or emoluments, and also the number of those who held offices under 100*l*. a year; &c. &c.—

The motion was agreed to.

HOUSE OF LORDS.

Friday, March 8.

ROASTED WHEAT—BREAKFAST POWDER.] The Marquis of *Lansdown* said, he wished to call the attention of the House, to what he considered a very important constitutional question, involving materially the rights of the subject. He alluded to the prosecutions instituted by the commissioners of Excise, and the penalties levied, for selling roasted wheat, and other substances, under the name of breakfast powder. The alleged ground upon which these prosecutions had been instituted was, that those substances were made in imitation of coffee, and that their sale tended to defraud the revenue. It was of great importance, that the law upon this subject, should be correctly ascertained; because, if the commissioners of Excise had the power of preventing the sale of any article of food, upon the plea that it would tend to prevent the sale of other articles upon which a duty was charged, they possessed a power equivalent to that of both Houses of the legislature; a power, the exercise of which ought at all times to be watched with peculiar jealousy, but more especially at the present moment, when, if roasted wheat could be rendered to any extent an article of food, it must evidently be highly beneficial to a numerous class of persons who were suffering great distress from the depression of the market for that commodity. He certainly did not object to all legitimate means being resorted to by the commissioners of Excise for the protection of the revenue; but it was of the utmost importance, that their power should not be stretched beyond its legitimate bounds. He would move, for an account of the prosecutions instituted by order of the board of Excise, for the selling of roasted wheat, or other substances, under the name of breakfast powder.—Ordered.

HOUSE OF COMMONS.

Friday, March 8.

BANKS OF ENGLAND, AND OF IRELAND.] Mr. *Maberly* said, that the papers for which he was about to move, were necessary to show the high rate of

interest paid to the Bank of Ireland, when contrasted with that paid to the Bank of England. While the Bank of England received only 300*l*., or 340*l*.; for every million of debt which it managed, he understood the Bank of Ireland received 2,000*l*. upon the same sum. He then moved for an account of the total amount of debt due to the Bank of Ireland, funded and unfunded, of the periods when contracted, and of the rate of interest paid for the same.

Mr. *Grenfell* said, he had always understood, that the Bank of Ireland, so far from receiving 2,000*l*. for every million of debt which it managed, absolutely received nothing.

Sir *J. Newport* reminded the House, that when the charter of the Bank of Ireland was renewed in 1808, one of the conditions was, that it should lend to the public 1,000,000*l*. at the rate of 5 per cent. interest, and that it should thenceforward manage the public debt gratuitously.

Mr. *Pearse* said, that no comparison could fairly be made between the conduct of the Bank of England and that of Ireland. The practice of contrasting the charges made by the one with those made by the other, was extremely invidious. While the Bank of England had a specific engagement for managing the national debt, and whilst it lent its money to the government at 3 per cent., the Bank of Ireland was enabled to lend its money to the same quarter at 5 per cent. If that difference of interest were taken into consideration, the balance would be found to be much in favour of the Bank of England. It mattered very little, whether it was in the shape of management, or of a higher rate of interest that the respective Banks received their emoluments. If the Bank of England were to receive the same interest, on the money which it had advanced to government, as the Bank of Ireland did, its emoluments would be more than 2,000*l*. for every million of debt it managed. Besides, the Bank of England had given large premiums to the public on various occasions when its charter had been renewed, whereas the Bank of Ireland had given nothing, but had entered into terms with government: indeed, in the last 30 years it had paid upwards of 4,000,000*l*. in the shape of premiums. He had said thus much, because he felt strongly the insinuations thrown out against the Bank of England. Though a director, he had no great personal interest in the profits of the Bank; for, to confess the truth, he had not much more Bank stock than was necessary to give him a qualification. Indeed, upon seeing the effects of the war, he had made it a point of honour not to increase his stock beyond the amount which he possessed upon first entering into the direction. The hon. member for Portarlington had, upon a former occasion, asserted, that the directors had scarcely ability enough to perform the duties with which they were intrusted; but he (Mr. P.) preferred the opinion of the proprietors of Bank-stock, who elected them annually, to all the theories of modern philosophers on the subject. Neither theory nor speculation would do for the management of the affairs of the Bank of England; and he would say then, what he had often said before, that those who had been intrusted with the management of them, had never been influenced by any thing, but the most honest and honourable intentions. During the long war in which the country had been engaged, the Bank, though it had made frequent advances to government to enable them to pursue it with energy, had never lost either its credit or its character; and those gentlemen who had been recently across the water, could bear witness, that the credit and character of the Bank was at the present moment in the highest estimation among the nations of the continent.

Mr. *Ricardo* said, that whenever the conduct of the Bank was brought before the notice of the House, he should think it his duty to speak of it as he thought and felt. With regard to the directors, he was willing, at all times, to give them full credit for honesty of intention; but he could not help thinking, that they had at different times involved the country in considerable difficulties. He persisted in saying, that the Bank restriction act which was passed in 1797, might have been unattended with detriment to the country, had the directors known how to manage their own concerns. But, not knowing how to manage them upon true principles, they had issued a quantity of paper so large as to depreciate its own value; and to recover from that depreciation, the country had found it necessary to undergo a painful process, which had been the cause of a great part of the present distress. Even since the year 1819, the Bank had committed a great error in

its eagerness to provide gold. That error they confessed themselves, when they offered to lend government 4,000,000*l.* Such an offer he took to be a specific confession of error, inasmuch as it was a declaration that they had amassed more gold than was necessary, and by so doing had aggravated the evils under which the country suffered. As to the plan of the Bank lending 4,000,000*l.* to the government, he viewed it with some degree of fear, because the directors had convinced him by their conduct that they did not know what they were about. If they thought they could issue either 4,000,000*l.* of gold coin, or even of paper, without withdrawing the gold coin from circulation, they were mightily mistaken. He was quite sure that the currency could not absorb it, and therefore it must go abroad.

Mr. *Gurney* said, it was perfectly well known to all who heard him, that while the Bank of England conducted their own affairs they went on very prosperously; and that it was only when they were interfered with by theorists and speculators that they experienced any thing like distress.

Mr. *Monck* agreed, as to the mischief which the Bank had occasioned to the public, but could not concur in thinking that they did not know how to manage their own affairs. Did the House recollect the advantage which the Bank had taken of the Restriction act? That act, when it was passed, was by no means intended to be permanent. Its duration was limited to three months. But it was found so convenient to gentlemen in business, to the merchants and manufacturers, and to the Bank of England, that great reluctance was expressed to repeal it. It was continued, therefore, during the war; and although its duration was limited to six months after the return of peace, so unwilling were the Bank to return to cash payments, that nothing short of the positive declaration of that House could have induced them to do it. At the time of the restriction, the whole amount of the Bank paper in circulation was eight millions. But during the war, they raised that amount to thirty-three millions. By this conduct, the paper was depreciated 25 per cent as respected gold, and 50 per cent. as respected other commodities. Now, what did the directors do during the suspension of cash payments? They lent their money right and left to government in that depreciated currency; and now, in consequence of the resumption of cash payments, the Bank received in good hard money, what they had lent in worthless and depreciated paper. The result, therefore, proved, that they knew perfectly well how to manage their own affairs. In 1797, Bank stock was 120 per cent; it had now risen to 280. But that was not all. In the course of that time, they had given to the proprietors three or four bonusses of 5 and 10 per cent. Three or four years ago an act was also passed, allowing the Bank to add 25 per cent. to their capital. Was there ever an instance of any merchant, or body of merchants, making so immense a profit in so short a space of time? And let it be remembered, that it was made at the expence of the country.

Mr. *T. Wilson* reminded the hon. gentleman, that what he called a superfluity of paper-money had raised the price of corn and of rents. It was difficult to say, if the restriction on cash payments in 1797, had not taken place, how affairs would have gone on. Certain it was, that the war could not have been maintained with the energy which brought it to so successful a close; and some of the gentlemen opposite would assuredly not have enjoyed the high rents which they had been receiving. The Bank had invariably conducted themselves throughout the contest in conformity to the wishes of government [hear, hear!]; and with a view to the best interests of the country.

Mr. *Manning* declared, that when the Bank restriction of cash payments had been enacted, it had been enacted for only a limited period. Parliament had, however, thought fit to continue it, notwithstanding a resolution of the court of directors, expressing their wish and power to resume payments in specie. He should abstain from any invidious comparison between the Banks of England and of Ireland; but this he would say, that though nothing was charged for the management of the Irish debt, yet the difference between the interest at 5 and at 3 per cent was an advantage of 32,000*l.* a year to the Bank of Ireland. If the Bank of England were allowed the same rate of interest that the Bank of Ireland was, it would willingly transact the national debt without any charge, since it would gain 40,000*l.* a year by the exchange.

Mr. *Grenfell* assured the hon. director (Mr. Pearse) that he had not

meant any thing personal in any observation he had made, the directors had repeatedly told him that they had no personal interests to serve, and he fully believed them when they told him so. But, nevertheless, whether they were influenced by personal motives, or by the oaths which they took to the Bank proprietors, to promote their interests to the utmost, the effect had been the adoption of measures fatal to the interests of the country, and productive of enormous profits to the Bank. From the time of the erection of the Bank into a public corporation, down to the year 1797, which was about a century, the whole amount of the profits had never exceeded 7 per cent, and such a thing as a bonus had never been heard of. Now he stated, as a Bank proprietor, that from the year 1797 he had always received 7 per cent upon his capital. That, however, was the least part of his profit. He declared—and he challenged any Bank director to contradict the declaration—that, from the year 1797 down to the present time and during all the continuance of the war, by the advantages arising from the restriction act, from the public balances, and the high charge for the management of the public debt, the property of the Bank had increased and improved to the enormous sum of 30,000,000*l.* sterling. That statement he challenged the whole court of directors to deny. The hon. director opposite had taken great credit for the services which the Bank had rendered the government during the war. That the Bank had always been ready to advance money to the government, he did not doubt; but it was owing to the restriction act that they were enabled to do so. Besides they had never advanced a single sixpence without being very handsomely paid for it. He had now been a member of parliament twenty years; and during that time he had voted against every motion for the continuance of the Bank restriction act. But, from 1797, down to 1819, never had one Bank director voted along with him. On the contrary, they had, one and all, up to the very last hour, fought hard to prevent the resumption of cash payments. It was, therefore, a mockery to say that the Bank of England had always shown an anxiety to resume its payments in specie.

The motion was then agreed to.

Navy Five Per Cents Bill.] Mr. Lushington moved the order of the day, for further considering the report of this bill.

Mr. *Tierney* observed, that there were so many important considerations arising out of the present question, that it was extremely desirable that the discussion should be conducted in the presence of the Chancellor of the Exchequer, who was at once best acquainted with, and most responsible for, the arrangements upon this subject. He need not say, therefore, that he much regretted his absence, as well as the cause of it. As to the power of parliament to pay off the 5 per cents, they being declared, by an act of the 37th of the late king, irredeemable until 25,000,000*l.* in some other description of stock should be redeemed and paid off. A doubt, therefore, might present itself with regard to the conditions on which the holders of the 5 per cents had subscribed to purchase their annuities. When this point was first started, he had been strongly inclined to think it amounted to very little; but, the more frequently he had read the clause, the more he had reflected on its import, the clearer was his conviction, that it was a case which parliament was bound to consider. The language of these different acts expressly provided, that whatever amount of exchequer bills should be funded from time to time, and whatever operations should be carried in the 4 and 3 per cents, the 5 per cent annuities should continue irredeemable, until the period when 25,000,000*l.* of other stock should be paid off. It might be difficult to decide upon the meaning of this clause; but at least it was drawn up in terms that ought not on this occasion to be passed over *sub silentio*. It did not become the House to give this question the go-by: it deserved parliamentary notice, before they pronounced so severe a sentence on those who, on the faith of former acts, had invested their property in these 5 per cent annuities. He knew it would be said, that the clause in question referred to the purchases of the commissioners for liquidating the national debt. But, large as might be the sum already redeemed by the sinking fund, it was not paid off; on the contrary, it had only shifted hands. It was not at the disposal of parliament, in the sense understood by the act of 1797. The principle of compound interest upon which the sinking fund had been first established was, indeed, broken in upon; but the words "redeemed and paid off" remained ambiguous. The question was full of difficul-

ties, and was entitled to serious consideration. When Mr. Pelham proposed his measure, its object was stated to be "to pay off a certain description of stock, in conformity with the terms on which it had been purchased." The great difficulty in the execution of Mr. Pelham's plan arose from the large quantities of stock held by some of the great companies, and amongst them, by the East India company. They held 4,200,000*l.* of which 1,000,000*l.* was in the 3 per cents, and they contended, that they held this latter on the legal condition, that the 4 per cents should not be reduced unless a similar proceeding took place with regard to the 3 per cents. When the objection was brought forward, the attorney-general of that day expressed his opinion, that the House was bound to interfere by a resolution; and he himself submitted one that might have the effect of deciding the point. It was declared by the House, that notice was equally due in both instances. He mentioned this circumstance in order to show that the measure was considered in every light; that no important objection was passed over; and that no man interested was left without a distinct understanding of the course that was to be pursued. He was not now offering any opinion on the true interpretation of the clause he had cited; all he wished was, to prove the necessity of coming to some judgment respecting it. The chancellor of the exchequer had greatly surprised him by saying, that in the preparation of his scheme he had closely followed the example of Mr. Pelham. Now, he (Mr. T.) had read all the documents he could find on the subject of Mr. Pelham's plan, and he must declare that he was acquainted with no two things more dissimilar, than that plan and the project under discussion. The history of the former proceeding was briefly this. The king's speech on opening the session laid a foundation for the measure, by recommending a new arrangement of the interest payable on national debts, "strict regard being paid to public faith and private property." This language was deemed so essential, that it was afterwards introduced and made part of the bill for carrying his majesty's recommendations into effect. Mr. Pelham's bill likewise provided, that every holder of 4 per cent stock should have the option of receiving 3½ per cent for seven years, and 3 per cent at the expiration of that period. No threat was made use of, no inducement was brought forward of an indirect nature, Mr. Pelham relied on the good sense of the subscribers; and when it was remembered what was at that time the state of the money market, that commerce was eminently flourishing, and that the 3 per cents were at 101, a fairer proposition could hardly have been submitted. Yet, with all these advantages, it appeared to Mr. Pelham, that justice to the holders of the four per cents required that they should not be subjected to a compulsory process without sufficient notice, and that they ought to be let down gradually. He (Mr. T.) did not assert that the chancellor of the exchequer's proceeding was against law; but he maintained, that every holder of 5 per cent stock should have the means of knowing, and time for reflecting on the terms, on which it was proposed to him either to accept a lower interest, or to take back his capital. When he considered who many of those individuals were upon whom this measure was to operate, he saw additional reason for granting every possible indulgence; and, putting the mildest interpretation on the conditions to which the subscribers originally referred.—By the plan of Mr. Pelham, a period of three months was allowed to the stockholders for consideration, and within that time a great many acceded to the terms; but others rejected them. The minister did not happen to be in vogue in the city; and amongst those who held out were the Bank, the East India company, the South sea company, and other corporations. Let the House, however, consider what followed. When these great bodies altered their opinions on the subject, and intimated, after the lapse of the three months notice, their readiness to accept the proffered terms, the chancellor of the exchequer of that day said, "No, you have thought proper to hold out, and are not entitled to the same conditions as those who decided within a given period; instead of the seven years, during which they have acquired a claim to an additional half per cent interest, you shall receive it but for five years; at the end of which the full reduction shall take place." Now, he (Mr. T.) could perceive nothing hard or unfair in this part of the transaction; and the difference between it, when viewed altogether, and the proceeding now before them, was as marked as the difference between light and darkness. By this proceeding, a stockholder if he did not express his dissent between the 4th and the 16th of

March, this present month, was to be assumed as having assented. To him this seemed a most barefaced proposition. He was not himself a holder of 5 per cent stock, and had, therefore, an interest with the community at large to the extent of such degree, (and he feared it would be a small one) as this measure should operate to reduce general taxation. But he thought it most unfair to treat the public creditor in this manner. He was called on to give a direct negative; or in failure of so doing, was to be held to answer in the affirmative. If he did not say "no," he was to be concluded as saying "ay," and was to find himself all at once a subscriber to a new stock. Let them consider, too, what effects must be produced in Ireland by this proceeding, as it was now framed. The Irishman was to be subjected to a new and different process. There was a clause which involved Irish debentures bearing 5 per cent interest, within the operation of the bill; these debentures being only a species of currency, and purchased, as exchequer bills might be, for temporary convenience. The holders of them, who might never have intended to purchase stock at all, would now find suddenly that they had become subscribers to annuities at 4 per cent. How was the Irishman to signify his disapprobation of the measure, or prevent this conversion of himself into a fundholder? He could not communicate a shake of the head by the telegraph; and yet, unless he could devise some method almost as rapid, his dissent might be too late. It was not his intention to treat the subject ludicrously; and what he had just said was, he believed, fairly illustrative of the precipitation with which it was attempted to push forward this undertaking. It constituted, in his opinion, a serious grievance to the proprietors; and this was not lessened by the observation that it was the only way of bringing the business to an end.—He had heard compliments paid to the chancellor of the exchequer on the dexterity he had displayed in the conduct of this measure. His surprise was considerable at hearing compliments of this kind, and at finding that the "dexterity" of a chancellor of the exchequer in money matters should be deemed a fit subject for applause. It seemed to him very obvious, that the twelve days proposed by this arrangement were much too short a period to satisfy all the demands of justice, and all the exigences of the case. Parties conversant in money transactions, and quick in the discernment of their own interest, might form a sound judgment immediately; but, in other cases, the deduction of 16*s.* from 5*l.* must form so serious a loss as to inspire the utmost apprehension and alarm. Suppose a poor woman subsisting on an annuity of 40*l.* in the 5 per cents, and at present, by the aid of that provision, enjoying comparative ease and comfort. This deduction of 16*s.* from every 5*l.* might reduce her to comparative wretchedness, and deprive her of all that comfort which was her bare allotment before. How could an individual so situated be expected in a few days to make up her mind on a question that was to decide her future happiness? Yet if she hesitated—if her anxiety led her to consult too many of her friends and neighbours on the course which it was most adviseable for her to pursue—the time limited might elapse, and she would no longer have a discretion to exercise.—But there was another ground of objection, and it appeared to him quite unanswerable. They were informed by the king's speech, on opening the session, that negotiations were pending between other countries, which might eventually lead to a disturbance of the peace of Europe. As he could not believe the House was inclined to take any advantage of the stockholder, he alluded to this subject as affording one proof that the time assigned was not sufficient for reasonable purposes. The passage to which he alluded was that respecting the situation of Turkey and Russia. What was now the relative situation of those powers? The speech said—"My endeavours have been directed in conjunction with my allies, to a settlement of the differences which have unfortunately prevailed between the Court of St. Petersburgh and the Ottoman Porte, and I have reason to entertain hopes that these differences have been satisfactorily adjusted." Was it too much to ask for a month or two, in order to know the result of these negotiations? If it should be peace, no injury could be done to either party; but if war were to follow, the proprietors of the stock in question might complain most justly that they had been swindled. To some delay they were entitled; and as the season was advancing, a moderate delay would probably suffice. Neither had parliament yet come to a final determination with regard to the

sinking fund; and all would admit that, whatever it was, it must necessarily influence the price of stocks. Unless this were the case, their late discussion had been a mere waste of time. Here was a complicated question; and those who were to exercise a judgment upon it should be enabled to exercise it discreetly. They ought to know whether a fund of 5,000,000*l.* was to accumulate at compound interest or not; for this was an issue that might constitute a different value of the funds. Again, Mr. Pelham paid off his dissenters at once; but by the new mode, they were to be taken numerically, the payment to take place as parliament should hereafter provide. But, would not the inevitable consequence of such an arrangement be, that those who were inclined to dissent, would postpone that step till the last hour? He did not touch on these details in order to raise captious objections: he took his stand upon a broad principle, that there was a necessity for allowing more time for the execution of this measure. Interest at 5 per cent was to continue payable till the 5th of July; the expence would be the same, and he could imagine no good reason for hastening its progress. Unless ministers felt that some serious event was likely to intervene, which would induce people to refuse their subscription to the new stock, he could not conceive the motive for such precipitation. On the subject of the previous redemption of 25,000,000*l.* of other stock, he thought the House should express some opinion. Did the noble lord believe in those statements of our growing prosperity which he had recently brought forward? If he did, the country would gain, rather than lose, by the delay recommended. If the noble lord did not, and if the whole was a fallacy intended to help on a system of management, and promote the seduction of decoy ducks, if our prosperity was rather on the decline than otherwise, and this was an artifice designed to conceal or repair it, such considerations might furnish sufficient reason to the noble lord for this proceeding, but he did not envy him the enjoyment of it.

Mr. *Lushington* said, that on the question of legal competency, the answer was immediate and satisfactory. By the 53rd of the late king, it was declared, that the 238,000,000*l.* then standing in the names of the commissioners of the sinking fund, should be considered as so much stock redeemed and paid off. One very material advantage of the proposed arrangement was, its departure from the plan adopted by Mr. Pelham. A reference to the history of that period would show that great difficulties arose from the delay which was then allowed. The question then simply was, whether the proposed terms were consistent with good faith, and with the principles of justice. For every 100*l.* 5 per cent stock, 105*l.* 4 per cent stock was offered; or the holder had the option of receiving his capital. It was impossible that any great length of time could be requisite for deciding on a question like this. For those who were absent and at a distance, ample time would be given; but delay to those at home would only furnish a more extended opportunity for gambling and speculation.

Mr. *Ellice* said, the declarations of the House in the year 1813 were now represented as conclusive with respect to the act of the 37th of the late king; but at that period government was desirous of altering the amount of the sinking fund, although they were now told, in 1822, that an immense amount of the 3 per cents had been paid off since 1797. If the act meant a *bona fide* reduction of the 3 or 4 per cents to the amount of 25,000,000*l.*, then was the 5 per cent proprietor entitled to expect that a measure of this kind should be first applied in that direction. The right hon. gentleman had said, that for three years previous to Mr. Pelham's reduction, the stocks continued high. At present, it could not be said they were long in such a state; nor did the existing condition of Europe at all resemble that in Mr. Pelham's time. Mr. Pelham gave several months for consideration, but the present chancellor of the exchequer only allowed 16, or more properly speaking, 12 days, and gave as his apology for that shortness of time, the singular reason, that if longer time were allowed, it would give rise to individual speculation. Let the House look at the situation in which particular stockholders were placed by the shortness of notice. Suppose the case of a holder residing in the north of England or Scotland; he has only time to transmit his decision at once, so as to reach town within the specified period, and he writes to his agent, upon the first intimation of the terms, not to dissent. Suppose that, before the time arrives for actual closing, he receives in-

formation, from whatever cause, which leads him to alter his opinion, the distance at which he is placed leaves him without alternative. Not so the stock-holder in town: he has up to the last hour to notify his decision to the Bank. He had heard a great deal of the saving which would be effected by the bill. Now, he would contend, that the actual saving to the public at the end of eight years would be only 1,000,000*l.* The country had to pay 7,000,000*l.* for reducing the rate of interest to 4 per cent. Work that calculation as they pleased the result must be as he had stated. If it had been proposed to reduce the 5 per cents in such a way as to allow two years for holders to enter their decision, and to make the terms still more unfavourable to them in rate of interest, such a course would have enabled the parties affected by it to reduce their expenditure, and this bonus for sudden decision would have been saved to the public. If the noble marquis was so clear in his view of the progressive advance of public credit, why hurry such a measure as this? The fact was, that the plan was intended to avoid incurring the displeasure of the country gentlemen. In every view he could take of it, he thought it would have been better to have adopted a measure which had a greater resemblance to that of Mr. Pelham.

Mr. *Grenfell* said, that so far from thinking the plan unwise either in its principle or machinery, he was convinced, from the best consideration he could give the subject, that it was a fair and just one. The first question propounded by his right hon. friend was, "Are we, in point of law and good faith, competent to reduce the rate of interest, until we have actually extinguished 25,000,000*l.* of the public debt?" To this he should reply, that the measure in 1819, effectually removed the legal difficulty alluded to, and made it competent for them, in point of law and good faith, to execute the proposed measure. A great deal had been said of Mr. Pelham's bill in 1749. Now that measure appeared to him to have as little connexion with the real question at present, as any other which could well be thought of. They had nothing to do with Mr. Pelham's bill. The only question for them to consider was, whether, consistently with law and good faith, they were competent to entertain such a proceeding as this. He should say "Yes;" and, approving as he did, both the principle and the details of the bill, it should have his hearty support. When he stated his general acquiescence, he was bound at the same time to say, that he had a slight objection to the appearance of hurry in binding parties to an assent or dissent. His hon. friend was for a long delay, on the ground that if the state of the country were as improving as it had been represented to be, the public would, in the end, make a better bargain. Be that as it might, he should merely reply, that he for one, was ready to act now; nor should he regret his early acceptance of the terms now offered, if in the result he found that something more might have been gained by procrastination.

Mr. *Tierney* said, he had made no objection to the principle of the measure; but had merely objected to the mode of carrying it into effect.

Mr. *Huskisson* thought, there could be little doubt, indeed, that the plan was consistent with the principles of public faith, and of law. With respect to the right of paying off the five per cents, the right hon. gentleman opposite had alluded to a clause in the 37th of the king, which stated that the five per cents were not to be paid off until 25 millions of the national debt should be redeemed. The words of that act, he was willing to say, would admit of various constructions; but one construction, he thought, could not, with any appearance of reason, be put upon them. It could not be contended that the condition would not be fulfilled until the debt, as it stood in the year 1797, should be reduced by 25 millions. It might perhaps be argued, that, if the government borrowed with one hand to pay off debt with another, though debt might be nominally reduced, the condition would not be fulfilled, because in fact the country, whilst it was paying off debt in one way, would be increasing debt in another. But the country had *bonâ fide* paid off 25 millions of debt by the redemption of the land tax. Unless, therefore, gentlemen were to contend that the country at the present day was bound to reduce the debt by 25 millions below what it was in 1792, when it amounted to 230 millions; or that any *bona fide* reduction of the debt did not amount to a redemption, it was plain that the condition, as stated in the act, had been fulfilled, and there could be no doubt but that parliament had a right to

deal with the five per cents in the manner proposed. The hon. member for Coventry had stated, that in the course of eight years, the saving to the country would amount but to a million. Undoubtedly, if they looked but to the nominal amount of the debt, the hon. gentleman might entertain that view of the question; but looking to the burthen which was actually upon the country, the first effect of the measure would be, to diminish that burthen by a sum of 1,200,000*l.* forthwith. With respect to the complaint, that sufficient time had not been given to creditors to express their dissent, the House would bear in mind, that the public, since the resolution of his right hon. friend had been moved in that House on the 22nd of February, had been put in possession of the plan. And, after all, what had the creditor to decide upon? The proposition was this—either to pay off the creditor his full demand, or to give him 105*l.* in the four per cents; in fact, whether he should take his 100*l.* or accept of what was better. Had there been more time given, it would have led to unfair speculations. The right hon. gentleman had desired the House to wait for the result of the negotiations between Russia and Turkey. But, if the country was not to pay off a part of its debt, bearing a high rate of interest, until the state of Europe should be entirely settled, they would lose every chance of redeeming their debt. Every public event was likely to affect, more or less, the state of public credit. He thought that sincerity and good faith marked the whole plan of his right hon. friend. The parties had nothing to complain of; they advanced their money to the state on the express understanding, that at a certain period that debt was likely to be paid off. The terms that were offered was the amount of their debt in money, or a security which was more advantageous. The legislature was only doing that, which, on every principle, they were bound to do for the benefit of the country.

Mr. *Williams* said, he had his doubts as to the question of law, and thought that the mode of executing the plan was one which would violate good faith. The five per cents were established under the 24th of the late king; and the clause of that act expressly stated, that the five per cents should not be redeemed until 25 millions of the public debt should be first paid off. He thought the words of the act were plain. He could not be supposed to have his judgment warped on this question, since, except as a trustee, he was not in the remotest degree concerned in the five per cents. For himself, he confessed, he was, to that hour, ignorant of the precise terms offered to the creditor: he did not know whether he was to be paid off in one month, or in 20 years. It was true the right hon. gentleman had stated, that the person who might express his dissent, might receive 100*l.* in money; but at what time he was to receive it was not stated, and ambiguity prevailed on that head throughout the whole plan. He could not help thinking that the public creditor was most unfairly treated, because terms were put upon him which he might consider illegal; which he might look upon as injurious; and of which however he was compelled to accept. He held in his hand two documents; they were dissents, which were yesterday presented at the Bank of England. The first stated, that the party gave notice, in pursuance of the resolution of the House of the 23rd Feb., that he declined accepting of four per cent stock, and he required the payment of his money. The words were in pursuance of the resolution of the House, and under that notice were written the words "That he did not require the payment of his money according to the terms proposed, nor to any other terms than those of the the 24th of Geo. 3rd under which he had purchased." The House would scarcely believe that the cashiers of the Bank refused to receive that notice. The next document was a notice from a trustee; it was worded according to the printed form. The words "I require payment of 100*l.*" were struck out. That notice was also delivered to the cashier, and he refused to receive it. Here it was clear that the holders of 5 per cent stock were not allowed to express their dissent. By what right bankers took upon themselves to construe an act of parliament, to decide the law in their own way, and to prevent the party whose property was interfered with from expressing his dissent, he could not determine; but it was clear that he was driven to accept of terms, which he might consider disadvantageous—which he might look upon as illegal. A greater breach of public faith he thought had never been committed. If the chancellor of the exchequer had pursued an opposite course, and had created a five per cent stock,

irredeemable within 25 years, such a stock would be worth, at the ordinary rate according to calculation, from 120*l.* to 125*l.* money for every 100*l.* stock. He would therefore have converted the existing stock into a stock of this description. The idea was not his, but had been suggested in a pamphlet which had been very widely circulated. According to this plan, the operation would have been as follows:—If the existing quantity of five per cent stock was 155 millions, bearing interest to the amount of 7,750,000*l.*, the nominal capital would be reduced to 129,500,000*l.*, which would be a reduction of 25,500,000*l.* on the capital; and the interest would be reduced to 6,250,000*l.*, which would be a saving on the interest of 1,470,000*l.* This was actually a greater saving than the chancellor of the exchequer proposed by his present plan; for he only proposed to save 1,270,000*l.*; and when it was recollected, that the dividends on the five per cents would be paid at Midsummer, the saving in interest would in reality be only 1,200,000*l.*, while the capital was increased by 7,500,000*l.* This system, if pursued for years, must bring ruin on the nation, and lead to the breach of public faith. The chancellor of the exchequer, in pursuance of his system, had resorted to art and tricks to raise the price of the funds; but what was the consequence? He was now endeavouring to raise the three per cents to 90, in order to reduce the four per cent stock. Did he calculate the loss to the country while this was going on? If there was a real surplus, for nothing else could be called a sinking fund, of 5 millions, it would redeem, when the funds were at 70, 7,142,000*l.* of debt; but when the funds were raised to 90, it would take 6,428,420*l.* to buy up the same amount of capital; so that there would be an actual loss to the country, by forcing up the stocks, of 1,428,420*l.* on the redemption of every 7,142,000*l.* of the debt. If, instead of reducing the five per cents to a lower denomination, the three per cents were converted into fives, there might be a reduction of the enormous sum of two hundred millions. Was this nothing? When did the chancellor of the exchequer expect to reduce two hundred millions of capital? They would not then need fear how much the stocks might rise. The measure which he had proposed might be effected on principles consonant with justice and good faith; for the stock which he proposed to create would fetch the price he had set upon it. He was convinced the whole system adopted by the chancellor of the exchequer was founded on a false calculation, and that the sooner it was departed from the better.

The *Attorney General* observed, that his opinion as to the situation in which the House stood in consequence of the 34th of the late king, was very different from that of the hon. gentleman, for according to the opinion of the hon. gentleman, the House would be placed in this situation, that they could never reduce the five per cents until the debt was reduced below what it was in 1784. The question for the House to consider really was, "Had the country paid off 25 millions of debt in the sense contemplated in that clause?" It was said by some, that the raising money by loans to pay off debt was a mere juggle that would not satisfy the words of the act. But, it was not by loans merely, but by the redemption of the land tax, that a large sum had been reduced. Besides this, the act which passed in 1813, for cancelling a part of the stock in the hands of the commissioners for the reduction of the debt, recited, that, whereas the 238 millions purchased by the commissioners exceeded the total of the capital of the debt existing in 1786, that amount of public debt should be deemed to be satisfied and discharged, and that so much stock might be cancelled. After this express declaration by act of parliament, that so much of the debt should be deemed to be satisfied and paid off, on that alone he thought they might safely rest, independently of that measure, the redemption of the land tax, which put an end to all doubts on the subject.

Mr. *W. Smith* said, that the idea that raising of loans to buy up stock was a *bona fide* discharge of debt, was the most absurd that ever entered the mind of man. And this must have been the opinion of Mr. Pitt; for in 1792 the three per cents were about par, so that nothing could have been more easy than to have borrowed money with one hand to buy up a quantity of stock with the other, if that minister had thought this an honest interpretation of the act.

Mr. *Monck* observed, that the provision that the five per cent holders should be paid off in the order of their dissent, was unjust, as it tended to create a different

value in the same species of stock. If, for instance, there were dissentients to the amount of twenty millions of stock, and there was a surplus of five millions applied yearly to pay them off, the payment would not be completed in less than four years, and the part that was first payable would be four or five per cent more valuable than the last. The plan adopted by the French government, of drawing a letter by lot for payment, was more just to the holders, and thereby the stock preserved an equal value in the market. He perfectly agreed with the member for Weymouth, as to the bad effect of the present mode of applying the sinking fund.

The House then resolved itself into the committee, in which verbal and other amendments were made to several clauses, after a good deal of desultory conversation. Upon the clause for limiting the time for dissent to the 16th of March being read, Mr. Denman proposed, as an amendment, to substitute the 30th of March. A conversation of some length ensued; after which the committee divided: For Mr. Denman's amendment 49. For the original clause, 143.

List of the Minority.

Althorp, visc.	Monck, J. B.
Bennet, hon. H. G.	Maule, hon. W.
Bernal, R.	Maberly, John
Birch, H.	Macdonald, J.
Boughey, sir J.	Newman, R.
Barrett, S. M.	Newport, sir J.
Beaumont, T.	O'Callaghan, col.
Bright, H.	Palmer, C. F.
Calcraft, J.	Robinson, sir G.
Coffin, sir I.	Ridley, sir M. W.
Concannon, L.	Robarts, col.
Crespigny, sir W. De	Robarts, A. W.
Campbell, hon. N.	Robertson, A.
Davies, col.	Stanley, lord
Denison, J.	Smith, hon. R.
Ellice, E.	Smith, Robt.
Fergusson, sir R. C.	Scarlett, J.
Grenfell, P.	Tierney, rt. hon. G.
Hutchinson, hon. H.	Tynte, C. K.
Hobhouse, J. C.	Wood, ald.
Hume, Joseph	Williams, W.
James, W.	Wilson, sir R.
Lambton, J. G.	Wyvill, M.
Lushington, Dr.	TELLER.
Martin, J.	Denman, T.

HOUSE OF COMMONS.

Monday, March 11.

NAVY FIVE PER CENTS BILL.] On the Order of the Day for the third reading of this bill,

Mr. *Tierney* said, it had been observed the other evening, that, by the 53rd of the late king, respecting the redemption of the land tax, the difficulties in the way of this subject had been in a great measure removed. Now, he was by no means satisfied that such was the case, and wished to hear the opinions of the learned gentleman opposite. The point complained of was, that government proposed to pay off the five per cents without the notice to which the holders of that stock were by law entitled. By the 37th of the late king, the holders of five per cents were rendered liable to reduction either into three or four per cents, according to their own option; but it was with the express condition that they should not be liable to any such reduction, until 25,000,000*l*. of the three per cents should have been redeemed and paid off. Now, in the 25th of George 2nd, there was this important clause, that no redemption, no paying off of the three per cents, should take place, until twelve months notice had been given of the intention to do so to the holders of that stock. It was said on the other side, that the purchases made by the commissioners for the reduction of the national debt, as well as the amount of the land tax redeemed, were much more than sufficient to render the holders of five per cents liable to reduction. To this however the holders of five per cents replied, that the reduction in the one case and the redemption in the other, were not *bona fide* a redeeming and paying off of the three per cents, and therefore that the notice had in fact not been given.

The *Solicitor General* said, it was perfectly obvious that the clause in the 25th George 2nd, by which it was enacted, that the holders of three per cents should have twelvemonths notice, had been virtually annulled by the voluntary sale or redemption of a much larger amount than 25,000,000*l*. of that stock. When the holders of three per cents had voluntarily consented to that paying off, the holders of five per cents were necessarily rendered liable to be paid off in consequence. If it were said, that the holders of three per cents had an advantage which they ought not to have relinquished, the answer was, that they had waved that advantage. The holders of five per cents, therefore, could by no means say, that the act of parliament which rendered a twelve months' notice to the holders of three per cents before the re-payment of those holders

imperative, secured them from reduction; since the holders of the three per cents had declared themselves satisfied with being repaid without any such notice. That expression of satisfaction, and the repayment consequent upon it, were quite sufficient to justify the present measure.

Mr. *Tierney* was by no means satisfied with the explanation of the learned gentleman. The holders of five per cents had been expressly secured by act of parliament from being paid off, until 25,000,000*l.* of the three per cents had been redeemed on a notice of twelve months. That notice had not been given; and on that ground the holders of five per cents stood.

Mr. *Huskisson*, although he admitted that, by the 16th clause of the 37th of Geo. 3rd, the holders of five per cents were entitled not to be paid off until a twelvemonths' notice had been given to the holders of three per cents of the intention to pay off 25 millions of that stock; contended, that the much larger reduction that had taken place in the three per cents by the spontaneous consent of the holders of that stock rendered any such notice, before the re-payment of the five per cents unnecessary. He did not deny, that the reference in the 37th of Geo. 3rd, was to the provision in the 25th of Geo. 2nd that the holders of the three per cents should not be paid off without 12 months notice; but his argument was, that their having consented to be paid off, beyond the amount specified in the 37th Geo. 3rd, was equivalent to the condition of notice; and therefore that the holders of five per cents, in the present case, were virtually placed in the condition which the 37th of Geo. 3rd contemplated.

Mr. *Ellice* said, that the House ought not to proceed without being quite clear on the point of law. He could not understand the meaning of the act, unless it was explained as requiring a *bona fide* payment of capital stock to the amount, and after the manner stated by his right hon. friend. The point would, he trusted, be brought by some holder of 5 per cents before a competent tribunal, where it might be solemnly decided.

After a short conversation, the bill was read a third time.

Mr. *Hume* then proposed a clause for the purpose of declaring, that the Bank should not derive any profit from the management of the increased capital stock caused by this measure. Unless some specific clause were inserted, there was nothing to prevent the Bank, under this bill from receiving their charge of 300*l.* per 1,000,000*l.* on the 7,000,000*l.* of additional stock now placed in the capital of the four per cents. In 1808, the public debt amounted to 613,000,000*l.*; it had since been increased nearly 200 millions. There could be no pretence for making the present bill a source of additional profit for the Bank, when public economy was the object of the measure, and when it would entail upon them no additional trouble.

Mr. *Manning* said, that the Bank never hinted at any additional charge for managing these transfers. During the last 30 years, that corporation had never been in the habit of receiving any thing where stock was only transferred from one fund to another. But to say, that the Bank were not to derive their stipulated per centage upon the management of any additional capital, was to press for a total breach of the existing contract between the Bank and the public, the terms of which were secured by a former act of parliament. If the proposed clause were adopted, the terms of that act would be violated, and a total change would be made in the constitution of the existing arrangement for managing the public business. The Bank received no remuneration for forgeries upon stock; and when they made the last arrangement with the public, the charge of interest agreed upon, comprehended the risk incurred by the Bank in the forgeries which he alluded to. This clause, if adopted, would release them from the compact; and on that ground he should oppose it.

Mr. *Grenfell* said, that the question was simply this—whether the Bank ought to receive a per centage for executing a bill which entailed upon them no additional trouble? The hon. director had talked of the risk of forgeries; but the sums annually to be paid by the Bank would be less under this bill than before, and the risk would be therefore less. He could see no reason, on any principle of equity, why this additional charge of 2,000*l.* or 3,000*l.* a year should be put into the coffers of the Bank. How could that House consent to such a charge, when they recollected the desire for retrenchment which they had lately

evinced in the debate upon the reduction of two lords of the Admiralty? The sum which they had on that occasion saved to the public by their vote, they would now give away by rejecting this clause. For the sake of the precedent, if not for the sake of economy, the House ought to adopt it: by and by they might be in a condition to reduce the four per cents to three, and if they rejected this clause now, how could they introduce a similar one in such an event as that to which he alluded?

The *Chancellor of the Exchequer* said, he could not see how such a clause could be proposed without previous communication with the Bank. Why the Bank were not to have as fair a claim to equitable consideration in managing the affairs of the public as any other body, he was at a loss to consider.

Mr. *Ricardo* supported the clause, because the Bank would have no additional trouble by the management of the public business under this bill.

The clause was negatived, and the bill passed.

SUPERANNUATION ACT AMENDMENT BILL.] The House having resolved itself into a committee on the Superannuation Act,

The *Chancellor of the Exchequer* said, it would perhaps be the wish of the House that he should, at this stage of the proceedings, state what arrangement had been made by government, pursuant to the addresses presented to the Crown upon the subject of superannuation allowances to officers retiring from situations under government. Previously to the 50th of the late king, great difficulties arose in providing for persons who, from age or debility, retired from public offices. It had been always understood, that the legal right of making provision for such officers lay in the king in council, and in the Treasury in certain cases. He must, however, confess, that until the 50th of the late king, the instances in which this power was exercised by the Crown were very rare. It had been usual to provide for the worn-out servants of the Crown, by appointing them to sinecure offices (of which there then existed several, which had since been cut off), or to places the duties of which were very trifling. Another mode of provision was, by obliging the successor to pay the person who retired a portion of the salary of the office. In 1782, the commissioners of inquiry recommended a system of superannuation to the House. In 1797, a committee of the House made the same recommendation. In 1803, the first step was taken to establish something like an arrangement of provision for the retired servants of the Crown. This act was the ground-work of that introduced in 1810. It arose out of several complaints which had been made, of persons filling active offices, who at the same time were receiving superannuation allowances. By that act, certificates of service were necessary to entitle a person to a superannuation allowance. It was true, that the act of 1810 had imposed on the country a great and unnecessary expense; but it would be found that no general system of irregularity had been introduced by it. He would now advert to certain returns made in the month of May last, of the number of superannuations, the names of the parties, the amount of each allowance, and the nature of their public services: he would beg leave to refer to those returns, because they were more complete and satisfactory than any statement which he could make. He would shortly allude to the great public offices—the Customs, the Stamp office, and the Post office. The amount of the salaries in the different offices of the revenue amounted to 1,664,463*l.* The number of persons employed amounted to 17,347. The number of persons superannuated amounted to 1,732, and the sums paid in the way of superannuation amounted to 154,669*l.* which amounted to about 9½ per cent upon the salaries of the different active officers in the various departments. The amount of the allowance on an average was about 89*l.* 5*s.* to each individual, little more than 4*s.* 10*d.* per day, an allowance which certainly, so far from being extravagant, was little more than sufficient to support those, who, after having exhausted a great part of their lives in the public services, retired through age and infirmity. The average amount of the period of services of each individual superannuated, was nearly 29 years.

He would now advert to offices in the great public departments, such as the Treasury, the Secretaries of state, the Exchequer, the Colonial office, the India commissioners, the State-paper, and various other offices. On looking at the state of those establishments, it would not be so easy to strike a scale of average, as in those to which he had before ad-

verted. The whole of the number of persons employed in those departments, which he should call the principal executive offices of the state, amounted to 932—the number of superannuations amounted to 70, being a much smaller proportion than the superannuations in the revenue departments. The reason was, that persons placed in offices in the higher departments of the state, whatever might be the length of their services, were in general not anxious to leave them. The salaries in those offices amounted to 205,545*l.*; the allowance for superannuation to 23,000*l.*, being about 11¼ per cent. on the amount of the salaries. The average allowance to each individual superannuated, was 329*l.*; the average period of service completed by each individual superannuated, was about 26½ years. The total amount of salaries in the various public departments, was 1,870,000*l.* The number of persons superannuated was 1802, and the amount of allowances for superannuations was 177,748*l.* Provisions were made for persons who had served from 15 to 50 years. There could not be a regular scale established to extend to all offices, laying down the period of service which would entitle the officer to receive superannuation allowance, because in ordinary offices persons enter at an early age; to the higher offices persons of mature age and great experience alone could be appointed. For instance the Solicitor of the Treasury: no young man could fill that situation; the individual must be a person of great experience and eminence in his profession. Such an individual must devote a great part of his life in attaining that knowledge which alone could fit him for so responsible a situation; and could not be put on a level with a young clerk, of 17 or 18 years of age. It was clear, therefore, that with respect to the time of service which ought to entitle a public officer to receive the superannuation allowance, no fair competition could exist between these individuals. It was, therefore, intended by the bill to give to the Treasury a discretionary power to grant, in extraordinary cases, superannuation allowances; but in each instance in which the Treasury should so act, they would be bound to lay before parliament, the amount of the allowance, and the reasons which should move the Treasury to grant it. The great defect in the act of 1810 was, that it did not specify with sufficient precision the cases where superannuation allowances should be granted. Persons, indeed, who served in any of the civil departments for a stated number of years, were entitled to a certain provision, but in the higher departments of the state, it very rarely happened that persons retained office for the length of time mentioned in the act. In a schedule to the present bill, it was intended to specify the various officers in the Treasury and other departments who might be entitled to receive superannuation allowance. The persons who in ordinary cases were to receive those allowances, it was intended to make contribute to a fund out of which such allowances in future were to issue. That arrangement would operate as something like reduction of salaries; but it would be a case of infinitely less hardship to make persons contribute in the active part of their lives to a fund, which, in the decline of life and in retirement, would be a provision for them, than suddenly, and at one blow to cut down their salaries without holding out any corresponding advantage. It was therefore proposed that persons who had salaries in the various departments of 100*l.* and upwards per year, should give up 5*l.* per cent. And that those who had salaries under 100*l.* per year, should give up 2½ per cent. At present the average amount of superannuation provision, as compared with the amount of salary, stood at 10 per cent. With respect to certain offices, which on a late revision were found to have salaries larger in proportion than others, and greater than their duties, it was proposed that for the present those persons should be allowed to receive their salaries, but with this qualification, that they should be subject to 5 per cent. on the amount of salary to which they were justly entitled, and to 10 per cent. on the excess. For instance, if it were found that an officer received 1000*l.* where he ought to receive but 800*l.* it was proposed that the 800*l.* should be subject to 5 per cent. and the remaining 200*l.* to 10 per cent.

With respect to the general reduction of salaries, the greatest anxiety had been felt by ministers to promote every possible reduction. It was easy for gentlemen in that House to propose reductions of from 25 to 30 per cent. and to look for enormous saving from enormous curtailments; but he was convinced that if those gentlemen were to come in contact with

the parties—were to listen to their representations, and to behold their distress and their sufferings—they would not have the heart to put in force their own resolutions. The first step taken by ministers on commencing the inquiry in which they were at present engaged, was, to lay down a general rule, which was stated in a circular issued from the Treasury to the different departments. The general rule was in substance this — that a return should be made of the persons employed in each office, and the amount of salary of each, with a view to fix as nearly as possible the standard of salaries to what they were in 1796 or 1797. Bearing that in mind, the first step taken by the Treasury, after dispatching the circular, was, to begin with itself. And here he would trouble the House with a short detail of the state of the Treasury now, and with its state in 1796. In 1796, the Treasury establishment, which was then separate from the Irish treasury department, stood thus: there were two secretaries, four chief clerks, six assistant clerks, 10 supernumerary clerks, and two other clerks, amounting altogether to 30 persons. At present, there were two secretaries and one assistant secretary, four chief clerks, 16 young clerks, 11 assistant clerks, which, with supernumeraries, amounted to 40 persons. Before he alluded to the comparison of salaries as they stood in 1797, and the salaries of the present day, he would beg of the House to consider the state of the Treasury business, and the great increase which had taken place since 1797. In 1797, the number of papers registered at the Treasury was 4,460; the number of registered papers in 1821 was 24,890; thus was there an increase in the business of the Treasury since 1797, in nearly a proportion of six to one. The emoluments of the secretaries of the Treasury, on an average, for 1769, 1770, and 1771, was 3,700*l.* In 1779, 1780, and 1782 they amounted to 5,100*l.* In 1797, they were reduced to 3,400*l.*, and in 1800 they were raised to 4,000l. and it was now proposed to reduce them to 3,500*l.*, nearly the amount enjoyed in 1797. About the year 1781, the salary of the chief clerk amounted to 1,278*l.* In 1797, it was reduced to 880*l.* At that period the chief clerks not only had the salary he had just stated, but they also held minor offices from which they received salaries. Those offices had been since abolished; and he might very fairly observe, that the salaries of the present day of those officers, were not so much as they stood forty or even fifty years ago. It was now intended that the salary of the chief clerk should stand at 1,200*l.*, and the secretaries of the Treasury at 3,500*l.* It was intended to fix the establishment of the Treasury at two secretaries, one assistant secretary, four chief clerks, one additional clerk, six senior clerks, eleven assistant clerks, and eleven junior clerks: making in all on the new establishment thirty-six persons; the number in 1796 having been thirty.—With respect to the increase of salaries, it was a hard and unequal case, where a deserving individual who, because of the longevity of persons in office, or from the small number of clerks in the same department, should remain at a low rate of salary for a great number of years; whilst, on the other hand, the practice of increasing salaries might, and in some instances was carried to an unjustifiable extent. To fix a certain principle by which salaries in future might be regulated was most desirable, and formed a part of the present measure. It was now proposed that the junior clerks of the Treasury department should enter at a salary of 100*l.* instead of 120*l.*; that for three years they should have no increase of salary, and that afterwards they should have an increase of 10*l.* each year, till their salaries amounted to 200*l.* a year. A junior clerk could therefore have, under the new arrangement, only 200*l.* a year, while under the former arrangement his salary might increase to 520*l.* An assistant clerk would have, in the first instance, a salary of 300*l.* a year, with an increase of 15*l.* each year, till it amounted to 500*l.*, but his service as a junior clerk would not be estimated in granting this additional allowance. The maximum of the salary of an assistant clerk would thus be 500*l.* a year; under the old establishment, he might, by possibility, receive 720*l.* The senior clerks would enter upon their offices at 600*l.*, instead of 700*l.* a year, with an increase of 10*l.* for each year's service, till they reached 800*l.* a year. And when it was considered how few senior clerks there were in the Treasury department, and how considerable the period of service was before they could attain the maximum of salary, he thought 800*l.* a year would not be considered an unreasonable allowance. The chief clerks who had now 1,500*l.* a year, were to have 1,200*l.* a year, without any increase for length of service.

He should now state the aggregate effect on the official establishment. In 1796, the total amount of salaries in this department was 19,923*l.* It was now 56,753*l.*, partly composed of original salaries, partly of allowances for length of service. The minimum, according to the old establishment, was 46,000*l.*, though, as it was impossible that the establishment ever could be at that minimum; for it would suppose, that none of the clerks had any claim for length of service. The maximum was 64,430*l.* Under the proposed establishment the minimum was 41,900*l.*, and the maximum, in round numbers, 48,000*l.* The reduction of the maximum was 48,000*l.*, as compared with 64,000*l.*, and the maximum, it was to be observed, was much less likely to be attained than under the old establishment. Without reckoning in either estimate the salary of the board, the reduction was from 50,000*l.* to 33,000*l.*, being a reduction of about 34 per cent. on the subordinate parts of the Treasury department. The other offices, it was true, could not be reduced in any thing like the same proportion, but to all a similar principle of reduction had been applied. As to the Secretary of state's office, however, he would state what was intended. The office of the secretary of state for the foreign department had consisted last year of 31 clerks; this year there were only 30. The minimum of charge for that office would remain, as it was, 18,000*l.*; but the maximum, which was now 28,000*l.*, would fall to 21,000*l.*, exclusive of the superannuation reduction of 5 per cent, which would apply to the new salaries as well as to the old. A similar revision had been carried through all the departments of government. In some of these departments even a greater reduction than that which he had just detailed was effected; in some cases there certainly was less; but he was not overstating the result of the revision, when he stated the eventual reduction on salaries in the principal departments of the state at 20 per cent. The revenue department were already in a course of investigation. It would have been impossible for the Treasury to enter personally into details so extensive as those of that department; and he begged to acknowledge with gratitude the assistance which ministers had received from the heads of the different departments. Without such aid, the task imposed upon a single department of general inquiry would have been too invidious. It was a task which could hardly have been executed, unless by the exertion of all branches of the government, backed by the authority of the Crown, and the countenance of parliament; and although the public had heard much of complaint and remonstrance, it was but just to say, that there were instances of persons to whose assiduity and diligence too much praise could not be given, and persons without whose attention and assistance those details could not have been furnished which were now submitted to the House.

He should now come to the amount of the general reductions proposed. A statement was preparing for the inspection of parliament, in which the various points of reduction would be fully described, as far as the revision had gone; but, with respect to the regulation of the great revenue departments, government, from the mass of local inquiry necessary, had felt itself incompetent to form any final opinion. All that ministers had been enabled to do was, to call upon the heads of departments to suggest any alteration which might to them appear expedient; and some reductions so proposed had actually been carried into effect. For a more complete and beneficial revision, they trusted to the board of commissioners appointed last session for the Irish revenue. Those commissioners would be authorized to extend their inquiries from the Irish to many branches of the English revenue; and their investigations, which had already produced considerable advantage, would no doubt effect that assimilation and regularity so desirable to both portions of the united kingdom.—Before he went to the point of aggregate reduction, there was one point which he was anxious to make the House understand. The 5th of January last was the date at which certain alterations were to commence; but ministers had not ordered the salaries of clerks to be reduced from that date, except by the superannuation charge of 5 or 10 per cent. In fact, ministers had not felt themselves called upon by parliament to expose those clerks and their families to privation and difficulty by an immediate reduction of their pay. He could not agree with those who held that the measures already taken as to those clerks had gone beyond justice and law. He did not admit that a clerk appointed to an office under government

had a right to look for the continuance of his emolument, whatever it might be, or that it was hard to abridge the value of those offices to which, by promotion, he might look forward. On the contrary, he held that a government must have the power of abridging that emolument, which it could, at pleasure, take away altogether: still he felt, that the power was capable of being employed tyrannically; and he assured the House that he had never felt the weight of responsibility heavier than in his attempt to apply the present principles of reduction. He did trust that, whatever irritation might be felt in the first moment, the parties would at least be convinced, that government had endeavoured to discharge its duty with impartiality and fairness; and that it had carried into effect the wishes of parliament with as much attention as possible to the feelings and comforts of the persons concerned. Nothing could be more injurious or impolitic than to drive diligence and merit from any of the public institutions, or to make persons in public offices, if not unfaithful, at least lax and negligent in the performance of their duty. He knew that the power of selection might be supposed to open a door for the exercise of partiality; but the responsibility attaching to such selection could not fail to render the party very guarded who might possess it. The danger was far greater of encouraging laxity, by suffering every advantage to arise out of the simple circumstance of greater length of service.

He had now, though imperfectly, given a sketch of the revision of the public offices which had been effected, however painfully, not dishonourably to the government, and not uselessly to the country. As to Ireland, a revision of the same nature was in progress there, as to the revenue departments, with the assistance of the revenue commission, and as to the other departments with the assistance of the Irish government. From the distance, and other circumstances, the arrangement was not so forward as in this part of the kingdom; but he hoped it would not be long ere he should be enabled to lay it before parliament. He had already stated, that another species of reduction was contemplated, namely, a reduction of salaries in the higher departments of the state. Such a reduction could not be grounded upon the fact, that the offices in question were of recent introduction; for, in fact, all the great departments of the state were of considerable antiquity, and the emoluments attached to them had not, for a great many years, been increased. By way of illustration, the establishment of the Treasury might be taken. He had chanced not long since to look at a warrant of the time of Charles 2nd, in which the then salaries of the officers of the Treasury were spoken of as "the ancient and accustomed allowances." Now those allowances, "ancient" in the days of Charles 2nd, were less by nearly one-fourth at the present day, by the operation of the 4*s.* land-tax, and of the 1*s.* 6*d.* duty. The same observation as to antiquity of existing emolument might be made with respect to other great departments of the state; nor could it be said, that the salaries taken were greater than were necessary for the becoming discharge of the duties imposed. On none of those grounds, therefore, could reduction be demanded; but it was felt, that in a time of heavy pressure upon the most valuable interests of the country — at a time when ministers were called upon to enforce rigid retrenchment upon those subordinate to them, it would not become them to shrink from their own share of the general burthen. Still less would it be becoming in them to take such a course, when an example from the highest quarter was set them to the contrary; for he had received the king's command to inform the House, that his majesty had given directions for a reduction to the extent of 10 per cent upon all those departments of the royal household which contributed more immediately to the personal comfort of the sovereign. The departments to which this measure would apply were the privy-purse, the lord chamberlain, the lord steward, the master of the robes, and the master of the horse; and the whole charge of those offices amounting to 300,000*l.*, the reduction for the service of the public would amount to 30,000*l.* The paternal care thus shown by his majesty demanded the warmest gratitude from the House. His majesty had gone further, indeed, in taking burthen upon himself, than his servants could go. The servants of the Crown had, in general, private fortunes, which would enable them to provide against any deficiency; but the king had nothing upon which he could rely but the provision made by parliament in the

way of civil list; which civil list, it would be remembered, could not now have been touched, except by the especial command and generous feeling of his majesty [Hear, hear!]. He was also bound to say, that, whatever might have been the personal inclination of the sovereign, he, as a faithful servant of the country, could not have advised a more considerable reduction; because he trusted never again to see those painful, if not disgraceful, investigations of debts and difficulties, which had arisen when the revenue of the civil list had been placed upon a narrow and insufficient footing. His majesty had, however, further directed a reduction of 10 per cent upon the salaries of all officers held during his pleasure, the salaries of which were 500l. a-year and upwards. Parliament would probably be of opinion that it ought not to be carried lower; and, to places held by patent, it could not, without a special act of parliament, apply. To this reduction of 10 per cent, which was to continue for five years, the lord chancellor, the cabinet ministers, and the great officers of the household, both in England and Ireland, would be subjected. He trusted it would not henceforward be said, that ministers had thrown burthens upon their inferiors to avoid bearing them themselves. Though this accusation had often been urged, they had never thought it worth contradicting; convinced that the effect which it might produce for a time would not fail to be dissipated when the truth should come to be known.

He should now bring the whole saving proposed before the view of the House—a saving which, to some gentlemen might appear inconsiderable, but which he trusted the country would appreciate as it deserved. He would first state the reduction which would take place in the present year; and next, that which would follow when the operations of the measures proposed should be complete. It was expected to obtain immediately by the deduction for the superannuation fund in the different offices, 12,000l. a-year. He took the government offices at the rate of 6 per cent, on 200,000l., because in some instances the deduction would be 10, and in others 5. The per centage in the revenue department, he put only at 4l., because many of the salaries being under 100l. a-year, would pay only two and a half; but the deductions for superannuation in that department would amount to 66,000l. The new salaries commencing under arrangement on the 5th of January last, would give a reduction of 15,000l.; it might be stated at 20,000l., but he wished to keep within the mark. The reduction of 10 per cent upon principal offices gave 20,000l. The reduction of the household, and on the civil list, would produce 25,000l. more. Lastly, there was his majesty's gracious donation of 30,000l.; making, exclusive of Ireland, a sum of 168,000l. Ireland might be put at 32,000l., because her establishment, with respect to the revenue, was in the proportion of one to three as compared with England; upon England and Ireland together, therefore, there was an immediate saving of 200,000l. In future, he had reason to believe the amount of reduction would be still more considerable. In England, the civil offices, exclusive of the revenue, would give a further reduction of 30,000l.; the revenue would probably give 100,000l., making, exclusive of superannuation allowances, 130,000l.; Ireland would give 43,000l. more, making a sum of 173,000l. Upon the whole, therefore, it would not be extravagant to expect a saving, present and to come, of 373,000l. a-year. How far such a reduction would be satisfactory to the expectations of the House, it was impossible for him to say; but as the estimates came before the House, they would have an opportunity of discussing and deciding on all the details. In the meantime he hoped that ministers might take credit with the House and the public, for diligence, for impartiality (and for zeal, as far as it was applicable to such a duty), in carrying into effect the wishes of parliament. He trusted that government had sufficiently evinced its disposition to relieve, as far as retrenchment could give relief, the distresses of the people. It should be remembered, however, in looking at the amount stated, that the whole reduction turned upon an establishment not exceeding 2,000,000l.; therefore, when it was represented, that immense sums might be saved by deduction, gentlemen should always remember, that they could take no more from a thing than the thing itself amounted to. Ministers, in the present reduction, had gone as far as they could go; but that would be a subject open to future consideration. They could not expect the House would think they had been right in every point of their arrangement; but they hoped to

have credit for discretion, economy, and attention to the public interest. The right hon. gentleman concluded with moving, "That for the purpose of forming a fund to provide for the Superannuation Allowances which have been, or may be granted to persons who have held, or may now, or at any time hereafter hold, certain offices and emoluments in the civil departments of his mejesty's service, the salaries and emoluments of all such persons shall be charged with such deductions or payments as are hereinafter mentioned; that is to say: Upon every salary and emolument which shall in the whole amount to 50*l*., and be less than 100*l*., a deduction after the rate of 2*l*. 10*s*. per cent:—Upon every salary and emolument which shall amount to 100*l*. per annum and upwards, a deduction after the rate of 5*l*. per cent per annum upon so much of such salary and emolument as may have been, or may hereafter be, fixed as the future salary of such office or employment; and a deduction after the rate of 10*l*. per cent upon any excess of salary and emolument which any such officer or person may be allowed to continue to receive, in respect of such office or emolument; and all such deductions which shall be made upon the amount of salary and emolument shall be applied towards creating a General Superannuation Fund."

Mr. *Bankes* expressed his sense of the liberal donation from the Crown. With respect to some of the details which had been stated, he could not altogether concur with the right hon. gentleman. He was not quite satisfied with the reduction of salaries in aid of the superannuation fund. In cases where, from the depreciation of money, salaries had been increased, he saw no reason why they should not be reduced to their former level. He could not understand why a young man, going into a government office, was to be exempted from those chances to which men in other professions were subject? The arrangement proposed, certainly went too far; since it gave to a man superannuated, under some circumstances, the whole amount of his salary. In his opinion a plan of so much importance, ought not to be decided on in haste. The right hon. gentleman had, it appeared, placed all the salaries of individuals in classes. Now, he should like to know what increase had taken place since the year 1810. Generally speaking, he conceived that larger deductions than those now proposed might be made from the more extensive salaries, and that a smaller sum should be subtracted from those of a lower denomination. He was willing to give the right hon. gentleman every credit for his efforts in devising this plan. He could easily feel and appreciate the difficulties which he had to encounter. He was well aware of the truth of what had been stated on a former occasion, that it almost required some degree of hardness of heart, to propose a reduction of salary to men who had long performed useful and arduous public duties; but still the state of the country required economy, and feeling must give way to duty.

The *Chancellor of the Exchequer* said, that nothing was further from his wish than the hurrying this measure forward. In his opinion, the best way would be to give leave to bring in a bill; after which, the various objections might be stated, in the course of its different stages.

Mr. *Marryat* condemned the system which was now acted on, in the various departments of the state, of regularly increasing the salaries of all the clerks, at certain fixed periods. This rule, which made them independent of their superiors, to whom they ought to be made to look up for advancement, destroyed all incentive to emulation, and exertion. It made no distinction between merit and no merit—between activity and no activity. The existing system of superannuation was most important. The intended improvements did not remove his objections to that system. The question came to this—whether the plan of superannuation was not so radically bad, as to call for its abolition? To judge of this question correctly, they ought to be in possession of an account of all salaries granted to the civil servants of the Crown, and the superannuations voted to those servants, since the passing of the 50th of the late king. The right hon. gentleman had given a statement of the amount of superannuations in some departments, and had argued that those superannuations were only in the proportion of 9½ or 10½ per cent on the sums paid for actual service. But the account to which the right hon. gentleman had referred, by no means gave a fair view of the whole expense. A paper was laid on the table on the 13th of last month, giving an account of the superannuation, pensions, and salaries of the

different officers in the Navy and Victualling-office. The whole amount of expenditure was 543,000*l.*, and he observed amongst the items a number of contingencies, comprising stationery, parish rates, taxes, firing, postage, and he knew not what else. But, independent of these charges, there were upwards of 400,000*l.* for salaries; and the superannuations, pensions to commissioners, secretaries, clerks, and others, in the civil department, amounted to 126,772*l.*, making 25 per cent on the amount of the whole sum, instead of 10½ per cent. This expense had grown up since the year 1810, under the act then passed. At that time, the superannuations in the Custom-house were about 4,000*l.* per annum, whereas they now amounted to 100,000*l.* If this superannuation system were suffered to go on, it would be as bad as a second set of Poor-laws. How, then, were they to deal with the system? In investigating it, two parties were to be considered—the clerks themselves, and the public. The clerks remonstrated loudly against what they called the undue profits which the chancellor of the exchequer intended to make at their expense. They had sent forth a pamphlet, to which were appended long calculations founded on Dr. Price's statements, by which they laboured to prove, that a sum of 188,000*l.* would be taken from 508 clerks. They declared that they could do much better for themselves than parliament could do for them; and requested that they should be left in possession of the 5 per cent of which it was intended to deprive them. They argued, that the accumulation of that sum at compound interest, or the laying it out on a life insurance, would furnish a better provision than was now contemplated for themselves and their families. He believed this to be the fact; and he knew not on what account parliament should set about making a provision for all the clerks in the different offices. Why should they not be left to the dictates of their own prudence, as other individuals were? Why should they not be allowed to lay by, in the time of health and strength, that which would be sufficient for their maintenance in the period of age and infirmity? He knew no right they had to force men to adopt a system of economy. Individual morals were not the object of legislative interference. But, they were now called on to agree to a measure which would absolutely prevent men from becoming provident, and would tend to make them selfish. The legislature would by this measure compel a man to provide for himself; but at the same time they left his wife and family destitute. The clerk must, according to this plan, make a provision for his own subsistence; but, if any accident occurred to him, his wife and family would be left without support. He would now consider the case with respect to the public. There was one plain cause for an alteration of the system; namely, the abuse of the 50th of the late king. That act had been interpreted in a way which parliament never intended. The meaning evidently was, that a man should not be provided for by the public, until from age or infirmity he was rendered incapable of performing the duties of his office. But, was that the way in which superannuations were granted? Certainly not. He knew no man, whose acquaintance was in any degree extensive, who could not reckon amongst that acquaintance several persons who were superannuated, in the parliamentary sense of the word. There were many young men at present walking about in idleness, who were supported at the public expense. He would suppose a young man of 15 or 16 entering a public office; at the end of 15 years, circumstances might have enabled him to improve his fortune in a very great degree. A man thus situated would rather play for a part of his salary than work for the whole. He was immediately seized with a head-ache, or fancied he had one; or he pleaded that he was assailed by some other trifling complaint; and the same power that got him into office was effectually exercised to get him out, with a handsome superannuation allowance. By this system three men were often paid for walking about, while the active service was performed by one. This was the system under the act of the 50th of George 3rd. When a man went out of office superannuated, one would suppose that he was incapable of doing any thing. But if, in a few years after, a better situation was offered, the superannuated individual frequently went to business again, and became as able and efficient an officer as any in his majesty's service. It appeared to him that the deduction of 5 per cent was too much for what ministers proposed to do for the clerks; and, on the other hand, that superannuations to the amount of 25 per cent were by far too

much for the public to pay. It struck him, that it would be wiser to give up any attempt to amend a system so liable to abuse, and to adopt the plan pointed out by the clerks themselves.

Mr. *Hume* agreed, that the House ought not to decide on a proposition of so important a nature, until they were in full possession of all the particulars connected with it. What the hon. member had stated with respect to the Custom-house, was extremely important. At the time the 50th of the late king passed, the superannuations in that department were very moderate; but from that period they had increased in a ratio of about 10,000*l.* a year. The system of superannuating various individuals, in quick succession, was exemplified in a very extraordinary degree at Plymouth; in which town there was a clergyman who now received 500*l.* a year for preaching to a few persons, at the same moment that two individuals, who had successively given up the situation, were each receiving a superannuation allowance. If provisions, in the shape of superannuations, were made fairly and equally, he could see no objection to them; but, those who deserved a proper allowance to retire on, were not the persons who received it. If ministers wished to act correctly, they would reduce, as much as possible, that patronage which procured superannuations for one set of persons, in order to place others in their situations. He must say, that the comparative smallness of the deductions which ministers were about to make, did not meet his ideas on the subject of retrenchment. Now what saving was to be effected in the present year? Why, including Ireland, there was a calculated saving of 200,000*l.* on a gross sum of 4,200,000*l.* appropriated for the civil expenditure, including the collection of the revenue, and various other items. If they added Scotland, and Ireland, it would form a total of 5,300,000*l.*, on which a saving of 200,000*l.* was to be effected. Now this was not such a reduction of expenses as they had a right to expect. But what was the eventual reduction to be? He understood it would go to the extent of 400,000*l.* But, when they looked to the enormous increase which had occurred in the amount of salaries, that saving was by far too little. Were they to be content with a deduction of about 4 per cent when the value of the currency was so greatly increased? He, for one, was quite disappointed at the right hon. gentleman's statement. With respect to the superannuation system, the fact really was, that the allowances were granted, not in proportion to a man's services and necessities, but in proportion to the number and power of his friends. The system of superannuation was an encouragement to expense, entailed a heavy and unnecessary expense on the country. It would be most wise to abandon the practice of granting superannuations, unless where an extreme case was made out. He put it to ministers, whether it was just to make the same deduction from a man who had only 150*l.* year, and from one who had 500*l.*? Evidently the burden would fall on the junior classes, and it was unfair to press heavily on those who could so ill afford it. The chancellor of the exchequer, after having stated that 30,000*l.* were reduced from his majesty, and 25,000*l.* from other officers, said that this would prevent the disgrace and pain of examining the accounts of the civil list. He could not refrain from expressing his surprise at such language. The House had passed resolutions, reserving it to themselves to investigate and control this branch of expenditure, and they had at several times exercised this right. He could not therefore see what pain or disgrace could result from thoroughly examining the accounts of the civil list; and he hoped the House would consider it due to the country to examine them. He trusted they would feel the necessity of deducting equally from all salaries, the highest as well as the lowest.

Mr. *Stuart Wortley* said, he felt highly grateful for the communication made to the House, with respect to the gracious intention of his majesty. He would not however, pledge himself to support the whole plan. It would be quite impossible for the House to pronounce an opinion until such time as the details were before them. There was a great deal, he thought in what had fallen from the hon. member for Sandwich, with respect to the principle of superannuation.

The Marquis of *Londonderry* said, it had been asserted, that the superannuation act had been studiously abused. Now, he did not say that it was not open to abuse; and that, in the great many cases which were connected with it, some abuses might not be traced. But his right hon. friend had stated a case which was *prima facie* calculated to repel the insinuation of abuse. He had stated, that of 1,800 per-

sons superannuated from the revenue and political offices, the average number was nearer 30 than 29 years of service; and that the ages of those who were in possession of superannuation allowances averaged 65 years. These facts did not render particular abuses impossible, but they repelled the insinuation of studied and general abuse. The hon. member for Sandwich had argued, that the superannuation act ought to be got rid of, and liberal salaries given to clerks, leaving them then to their own moral prudence, and their sense of moral fitness, to make provision for their retirement. But suppose they had not this sense of moral fitness, and that they had arrived at a time of life when they became very bad clerks, what was the government to do? Were they to turn them loose with nothing to live upon? Was there any thing more abhorrent to every sound feeling, than that a man, who had not had the prudence to lay by a purse, should be turned adrift after a service perhaps of 50 years? General theories were not very good things, nor could a government safely act upon them. If they acted upon the theory of the hon. member for Sandwich, the consequence would be, that they could never turn out their old servants, however inefficient and useless they might become. The hon. member had talked of a vast number of vigorous and healthy young men who had retired on a convenient allowance, and were to be seen daily promenading the streets. Now, he could assure the House that it had been the anxious endeavour of government, to ascertain that individuals were unfit for service before they were permitted to retire. He admitted, that the system of superannuations was one which it was extremely difficult to execute, and that the principle by which it was regulated required to be controlled by a countervailing principle. The system at Ceylon was exactly a case in point. By that system a general fund was created by the parties themselves out of their own emoluments; the great advantage of which was, that it did not leave it to the moral feeling or prudence of the parties to provide for future exigencies by private savings. It having been ascertained by a series of years, what sum would afford a reasonable allowance on superannuation, that sum was taken as a fixed and unalterable limit, which was in no case to be exceeded. By this arrangement the administration of the fund would be placed under the observation of the clerks themselves, whose interest it would become to prevent their own claims from being defeated by fraudulent or undue applications. The hon. member for Sandwich had made some statements which appeared to contravene those of the chancellor of the exchequer. His right hon. friend had said, that the average charge of superannuations did not exceed ten per cent and the hon. member for Sandwich had referred to certain returns, from which it appeared, that the charge was 25 per cent. These returns, however, beside the superannuations for existing offices, contained many for offices that had been suppressed. The hon. member for Aberdeen had entered his protest against the measure, and with a view of damping the tone of congratulation which he saw rising in the House, had declared, that he was by no means satisfied. He could not help remarking, however, that the hon. member was lower in point of tone than he had been since the commencement of the session; it was, in fact, his first blank evening; and he must say, he had never before heard him in so small a key. It was evident that the hon. member was rather surprised or damped by what had fallen from his right hon. friend, and that he found he had not so strong a case against ministers, as he had expected. The hon. member complained that a sum of 200,000*l.* was an inadequate reduction on a fund of 5,000,000*l.* but the hon. member had laid out of his calculation the great expence of collecting the revenue, which would deprive him of more than half his argument; for out of 4,000,000*l.*, only 1,600,000*l.* was applicable to the present question. He would not deny, that very large reductions might be made in the collection of the revenue. Committees were at that moment sitting on every branch of the revenue. It was true that the reductions proposed did not quite come up to the standard of the member for Aberdeen. That hon. member, when he had no better reason for a proposition, immediately jumped at a conclusion, and maintained the necessity of making a reduction of 25 per cent. This was the infallible remedy, which he proposed as regularly as the evening came. This was not the way to animate the servants of the Crown in the work of retrenchment. The more they did, the more they were reproached; and the appetite of hon. gentlemen opposite seemed only to increase with the sustenance it received. But he trusted the House did

not participate in the feelings of the hon. member for Aberdeen. The hon. member complained, that every thing had not been reduced to the standard of 1797. Now, since 1797, the business of the Treasury had increased six-fold. Was it extraordinary, then, that there should be an increase of nine officers in this department, especially when it was considered that the Irish Treasury was annexed to it? His right hon. friend had stated that, in this single department of the Treasury, there was an actual reduction of 33 per cent, exclusive of the 5 per cent applied to the superannuation fund. The civil list had afforded the hon. member another opportunity of indulging in that rich repast of detail with which he had on so many former occasions regaled the House. Whatever might be the hon. member's taste, the taste of parliament was of a very different description. It was neither the practice nor the province of parliament—he had almost said, it was not within the competence of parliament—to enter into the question of the civil list, except at the instance of the Crown. He would refer the hon. member to the language of Mr. Fox, who had uniformly declared, that he would never suffer this question to be entertained with his consent, unless the Crown applied to parliament for some modification of the contract which it had made, or for the discharge of any debt which might have accumulated. With respect to the communication of his majesty's gracious desire to share in the difficulties of his subjects, he could assure the House, that if his majesty had indulged his own feelings, they would have had no limit but that of best contributing to the wants of the people. His majesty's servants would, however, have practised a gross delusion, if they had led the House to suppose, that as large a sacrifice could have been advised, as his majesty's paternal feelings would have induced him to make.—Had they advised such a course, they would have involved the Crown, the parliament, and the country, in the greatest of all perplexities—that of having the debts of the civil list brought under the consideration of parliament.

Mr. *Bennet* contended, that the resolution distinctly pledged the House to support the principle of superannuation, which was in itself extremely objectionable. He could see no hardship in official men being obliged to maintain themselves when they retired, out of their savings while in office. That was the common lot of men, and he could see no principle upon which persons in official situations should be exempted from it. There were in the salaries to be reduced many points worthy of consideration. It was not fair that the first lord of the Treasury, whose salary was 6,000*l.* a year, should only suffer a reduction of 10*l.* per cent, and that a junior clerk, who now had a salary of 125*l.* a year, should be reduced to a salary of 100*l.* a year. Besides some of the inferior clerks were not paid too much at present; 125*l.* a year was not more than many of them deserve to have; but 6,000*l.* a year was more than ought to be paid to any first lord of the Treasury. If an opportunity were given, he would vote for the reduction of the salaries of all the great offices of the state. In the present distressed circumstances of the country, all of them were too high. The salary of the noble lord opposite was greatly too high. Many offices in the household; for instance, those of lord chamberlain and lord steward, as they were offices of great honour, ought to be performed without any emolument. He could not help expressing his surprise at hearing the noble marquis maintain, that as the civil list had been once settled, the House was not competent to make a fresh arrangement of it, and at his quoting a speech of Mr. Fox in corroboration of that extraordinary doctrine. Now, the present was not the first time that those who never could be brought to listen to Mr. Fox's warning voice when alive had quoted his words after his death, though not exactly in the sense which he had used them. For his own part, he recollected that upon one occasion, when lord North came forward, to deny the right of the House to inquire into the civil list, except when the Crown came to ask for an addition to it, Mr. Fox had explicitly declared that the House had a right to examine into it at all times—to augment it, if any augmentation should be found necessary, and to diminish it, if the Crown appeared to draw more from the people than the circumstances of the people warranted. Indeed, in the year 1780, Mr. Fox had put a question to sir Fletcher Norton upon that very subject, and obtained an opinion from him, that the House had a right to inquire into every circumstance connected with the civil list.* Where

* See Parl. History, vol. 21, p. 258.

the noble marquis had caught up that shred and patch which he had quoted, he could not tell; but this he would say, that it was belied by the whole of Mr. Fox's public life. He would now only state his objection to the plan generally, as it would be impossible to go into the details until the necessary papers were before the House.

Sir *W. De Crespigny* said, that ministers were only taking off the lighter portion of the burthens of the country, whilst they allowed the heavier weight to press upon them.

Mr. *Warre* inquired, whether the same reductions were to take place in Ireland as in England, and whether the allowances to foreign ambassadors were to be reduced? He thought it would be better, if the salaries afforded to public men during their service, were to be considered as their whole remuneration; and that they should regulate their expenditure accordingly.

The Marquis of *Londonderry* said, that the civil list of Ireland would be subject to the same regulation as that of England; and that the reduction of 10 per cent was also to extend to the salaries of foreign missions.

Mr. *Wynn* maintained, that the principle of superannuation was most important, and argued, that it was necessary to vest the heads of departments with the power of superannuating such servants of the public as had exhausted their best faculties in its service. Honourable gentlemen had spoken as if superannuation was an object of desire to those to whom it was granted. Now, the contrary was the case the faculties of individuals in general giving way long before they themselves discovered it. As a proof of this assertion, he quoted the case of the great lord Mansfield, who had held his situation five years longer than his talents fitted him for it. To show that there was no fair reason for presuming that the principle of superannuation would be abused, he stated, that thirty was the average number of years served by the persons now superannuated, and that sixty-five was the average of their respective ages. As to the plan of making such clerks as had not laid up a provision for old age petitioners for the bounty of parliament, he condemned it in unqualified terms. Whilst the country continued a monarchy, its servants were bound to look to the Crown for remuneration: if they once looked to parliament for it, there would be an end of the monarchy, a republic would be established, and all our ancient institutions would be swept away for ever. Alluding to the opinions of Mr. Fox with regard to the civil list, he declared that he had heard Mr. Fox, in the year 1802, say, that it was the practice of the constitution to allow the bargain made with the Crown, at the commencement of the reign, to remain fixed and unaltered; and that too upon two grounds; the one, that the Crown might not be brought into an improper dependence upon parliament; and the other, that it might not run into debt from an expectation that parliament would come forward to discharge them. Nothing was more likely to diminish the reverence due to the Crown, than a continual scrutiny into what was its just and necessary expenditure.

Mr. *P. Moore* said, that as the committee was called upon to vote without evidence, and as he wished to have the papers printed before the House agreed to the resolutions, he should move that the chairman do report progress.

Sir *M. W. Ridley* said, he would concur in the resolution, as he understood it did not pledge him to support the details of the bill which might be founded upon it. He admitted that superannuation ought not to be on a scale which might induce gentlemen in office to retire, but at the same time it was proper, when an individual had spent the greater part of his life in the public service, that the public should not desert him when he was incapable of further service.

Mr. *Calcraft* said, he was a friend to the principle of superannuation, but he would object to the proposed reductions, if they went to affect those who held situations as low as 80*l*. or 100*l*. a year. He, however, would say, that the proposed saving of 200,000*l*. and a contemplated saving of 200,000*l*. more, ought to be viewed with satisfaction by the country. He could not help expressing the satisfaction with which he had heard the communication from the throne, that 30,000*l*. was to be given from the privy purse for five years. Some gentlemen might think this too large, and others too small, but it was the principle which he liked, and even looking at the sum, he thought it was as much as, under all the circumstances could be expected, and was sure it would give great satisfaction to the country.

Mr. P. Moore consented to withdraw

his motion. After which, the resolution was agreed to.

HOUSE OF LORDS.

Tuesday, March 12.

NAVY FIVE PER CENTS BILL.] On the order of this day, for the second reading of the bill,

The Earl of *Liverpool* said, he would state the reasons on which he recommended the measure to their lordships' adoption. Whether they were entitled, consistently with good faith, to reduce the interest of the five per cent stock to four or three per cent, was the question for their consideration. Their lordships were aware, that in funding the navy debt at the close of the American war, it was thought necessary to create a five per cent stock, called the navy five per cents. The act by which this stock was created contained a clause, according to which it was not to be paid or reduced until 25,000,000*l.* of the national debt should be redeemed and paid off. But, though there could be no compulsory payment until this condition was satisfied, it certainly was at all times practicable for the government to pay off any quantity of stock, provided the holders were willing to receive their principal in money, or such other terms as might be offered to them. During the remainder of the peace from the end of the American war, and previous to 1793, 10,000,000*l.* of the three per cents had been paid off. The question had been agitated, whether the four per cents should not be reduced; and if the peace had continued, some measure of that kind might have been carried. But, with regard to the five per cents, it never had been in the power of the government to reduce them, as their required condition had not been fulfilled. Now, the first question for consideration was, whether there had *bonâ fide* been 25,000,000*l.* of the national debt paid off since the close of the American war? The condition had been repeated in different acts, after the period at which the five per cents were created. But, between the period of the creation of that stock and the year 1793, 10,000,000*l.* of the national debt had been redeemed; and since the year 1816 the farther sum of 19,000,000*l.* had been redeemed by the operation of the sinking fund. This was a sum which exceeded the stipulated condition, and therefore left no doubt on that point. There, was, however, another circumstance which ought not to be passed over unnoticed; namely, the redemption of the land-tax. He thought, therefore, that no doubt could be entertained of the *bona fide* fulfilment of the condition under which the five per cent stock had been created. But it was said, that by the 16th and 25th of Geo. 2nd, one year's previous notice was required to be given to the holders, before that stock could be paid off. The condition in the act by which the five per cent stock was created was certainly subsequent to these acts; and the argument was, that the act creating the five per cents must have reference to them, because it was provided that that stock should not be reduced until 25,000,000*l.* of the national debt was redeemed. But, if it was not enacted that this redemption should be effected according to the conditions of the 16th and 25th of Geo. 2nd, the objection, in his opinion, fell to the ground. The effect of the bargain with the holders of the three per cents was, that they could not be compelled to accept terms for their stock, without a previous notice of one year that government intended to pay it off; but surely the government was competent to pay off that stock at any time, with the consent of the proprietors. The stipulation respecting the redemption of the 25,000,000*l.* of debt could have reference only to the actual paying off, and not to the manner of the paying. If, therefore, their lordships were satisfied that 25,000,000*l.* had been redeemed, they must be convinced that every thing which good faith demanded had been done. But, he might, if necessary, rely on the equity of the case. What could be more evident than that the government was now only doing what, in the opinion of all mankind, might at any time be done? It had been the invariable opinion both of the buyers and sellers of five per cent stock, that the government was at liberty to pay that stock off at any time. Had this not been the case, the effect of the contrary opinion would have shown itself in the relative price of the public funds. When the three per cents were at 78, the five per cents ought to have been at 120, if it was imagined that they could not be paid off, whereas they had scarcely ever exceeded 108. The reason plainly was, that every person was convinced that that stock was redeemable. He thought he had said enough as to the equitable legality of this measure. It now remained to speak of the

mode by which it was proposed to carry it into effect. That mode was, calling on the holders of the five per cents to express their dissent. And here two questions arose: first, whether this mode was equitable; secondly, whether it was expedient. He contended that it was perfectly equitable in itself, more especially as it was only following a course chalked out by precedents. Their lordships would find an example of the same mode in the Consolidated act. Previous to the passing of that act, particular revenues were charged with the interest of particular funds. The consolidated act, though not a violation of the public faith, certainly made an alteration of some importance to the stockholder, for many of the public creditors might prefer the security of one fund to another. That act, however, required the persons interested to declare their dissent. When the long annuities were transferred to a different fund, the same principle was followed. With respect to the question, whether the holders of five per cents should take the offer made to them by government, or receive 100*l.* in money for every 100*l.* of stock, no individual could have any difficulty in forming his opinion. It was, therefore, expedient, that as little time as possible should be allowed to elapse, before the measure was carried into effect. If the parties had been required to signify their consent instead of their dissent, the stock-jobbing consequent on such an arrangement would have been enormous. With regard to the foreign relations of the country, since parliament had met, no alteration had taken place which would prevent his majesty from repeating the declaration in his speech at the opening of the session. But he did not mean that his declaration should rest there. Without holding out any expectations as to what might happen in the course of some years, or one year, or even six months, he must say, that he never knew a period in which this country was less likely to be involved in war. When he considered the nature of the measure, he could not anticipate any fitter time for its execution than the present. Were ministers to neglect the opportunity which presented itself of saving 1,200,000*l.* a year, and adding to the advantages which not only the increase of the revenue in the last year, but the prospect of a progressive increase afforded? In the whole transaction, good faith had been maintained; and while the public interest had been secured on the one hand, the most liberal terms were given to the holders of the five per cents on the other.

The *Lord Chancellor* said, he firmly believed that no man ever entertained any doubt of the 5 per cents being redeemable. If this opinion had not prevailed, there would have been a great difference in the market price between the 5 per cents and other stock; but when the 3 per cents were at 78, the 5 per cents had never been more than 108, though, if they had been irredeemable the price would have been 120. If courts of equity had been in the habit of considering the 5 per cents irredeemable, they would not, as had been their practice, have ordered stock, in cases of trusts, to be transferred into the 3 per cents, without regard to the state in which the testator had left the property. But it was stipulated, that 25,000,000*l.* of the national debt should be paid off before the 5 per cents could be reduced; and it was required by another act, that one year's notice must be given before the 3 per cents were paid off. A person, for whose opinion he entertained great respect (Mr. Tierney) had expressed in another place his doubts of the legality of the present measure, in consequence of this notice not having been given. But, the want of this notice could give rise to no difficulty, if their lordships were satisfied that the 25 millions required by law had actually been redeemed. What could the 5 per cent holders have to do with the notice to which the holders of the 3 per cents were entitled, if no clause in the act which created the former stock referred to that notice? Then, as to the payment of the sum of 25,000,000*l.*, that was stated to have been accomplished in two ways, by the operation of the sinking fund, and by the redemption of the land-tax. He must confess, that if their lordships had nothing to guide their judgment but a reference to the first mode of paying off the debt, they might have some difficulty in interpreting this clause of the act. But, they were to consider what the intention of parliament had been. Now, he could not suppose the legislature so forgetful in passing the act in question, as not to know, that debt might be paid off with one hand, and contracted with the other. If he were obliged to give an opinion on the point, he should say, that if 25 millions were actually paid off and cancelled, the condition was ful-

filled. This, he thought, must be held to have been the understanding of the legislature, as it was the general understanding. But, when the operation of the redemption of the land-tax was taken into the account, there was no doubt of the contract being complete.

Earl *Grey* said, it was his duty, as a member of that House, if doubts of the justice of this measure remained on his mind, to state those doubts; not for the purpose of inducing their lordships to reject the measure, but in order that they should, if the doubts appeared to them of sufficient importance, give them a fair consideration. The first difficulty was, the question of the right to reduce the 5 per cents. The noble earl had given a history of the manner in which this stock had been created. It was admitted to be redeemable; but not until after 25,000,000*l.* of the national debt were paid off. The question, therefore, was, whether this amount of the national debt had been *bona fide* redeemed according to the conditions required by law? When on this part of the question, the difficulty, like that mentioned by the noble earl on the woolsack, naturally occurred, namely, whether the payment of a portion of the debt while a debt to a greater amount was contracted, was a *bona fide* payment. The learned lord had said, that he had no doubt the stock in question had been fully cancelled. Whether the act in question stood in the way of the proposed reduction of the 5 per cents he could not positively say: but he would contend that there was such a reasonable doubt on the subject as called for delay and consideration. Though the debt existing at the time of the act of 1784 had been all cancelled by the operation of the sinking fund, still it appeared to him to be a question, whether the extinction of a portion of the debt, while a greater debt was contracted, was such a *bona fide* payment as the legislature contemplated. Their lordships were to consider what was the fair meaning of the act, and not what the public thought of it; and if they entertained any doubt, they should not proceed till that doubt was satisfied. Had the public burthens been reduced by the mortgage of the land-tax; or had that tax only been employed to purchase stock, the interest of which would otherwise have been paid out of the estates which redeemed it? If the public burthens had not been reduced, there could have been no reduction of debt, but only a change of creditors; and consequently the 25,000,000*l* of the 3 per cents had not been paid off in such a manner as to warrant the present reduction of the fives. But it was said, that the act in question was passed as a security to the holders of 3 per cents, and not to the holders of fives. This, in his opinion, made no difference. What the possessors of one kind of stock regarded as a protection, the proprietors of another took as a notice; and, under any construction which could be put on the act, it was impossible not to see ground for doubt and hesitation whether its provisions had been *bona fide* complied with. He only expressed his doubts, and wished to satisfy them; and though those doubts were somewhat diminished by the very positive manner of the learned lord on the woolsack, still they were not entirely removed. He had no interest in the matter beyond that of one who desired to see the faith of parliament observed, and fair dealing followed between the government and the public. If the proposed reduction of interest took place under the pressure of an urgent necessity, let that necessity be frankly stated: if the House presumed that it was acting in conformity with law and right, let that right be clearly ascertained, and rigidly fulfilled.—It had been said that there were precedents for requiring the dissent of parties instead of waiting their assent. He thought that it would have been as well if, instead of following those precedents, ministers had taken as their model the example of Mr. Pelham. The bill not only imposed the condition of dissent on the proprietors, but enacted that those who so dissented should be paid off in the numerical order of their dissent. Now this was either a threat or an inducement—a threat, if they did not accept of 105*l.* of a lower kind of stock, that they would be paid their money at a disadvantage; or an inducement, that those who came in first would be gainers in first being paid. In either case it was a partial and unjust proceeding, which the ministers of a great nation ought not to have proposed, and which it became the House not to sanction. The noble earl had said, that there never was a situation of the country in which he could hold out greater hopes of a peaceful policy. Now, nobody admired a peaceful policy so much as himself; and nobody would more sincerely support the noble earl in main-

taining that policy: but, when he remembered that the peaceful policy professed by Mr. Pitt in 1792, resulted in one of the most sanguinary wars that had ever desolated Europe, he could not place much reliance on the prophecies of the noble earl. He hoped, if war happened, that we might be enabled to stand aloof; but when he considered the nature of a war between Russia and Turkey, and the state of Europe as left by the late treaties, he could not but dread lest a war in one part of Europe might extend over the whole. It had been said, that in a war between Russia and Turkey we might be neutral: but, would not the issue of an amicable adjustment, or of a warlike declaration, raise or depress the property which was affected by this bill? Why, then, not wait to see the result?

The Earl of *Harrowby* contended, that the 24th of the late king did not stand in the way of the present measure. The provisions of that act referred only to compulsory payments at par. It was impossible to conceive that it could be meant that 25,000,000*l.* were to be paid off above the new debt contracted, with a sinking fund of 1,000,000*l.*, which was the amount of the sinking fund at the time of the passing of the act referred to. That the act was not considered as standing in the way of the present measure, was evident from the disproportion between the interest of money vested in the 5 per cents and that vested in other kinds of stock. The 5 per cents had never risen so high as they would have done, had it been understood that they were protected from being paid off till all the 3 per cent stock created since the 24th of the king was redeemed. He could conceive nothing but public convenience without any individual disadvantage from the system adopted of taking opinions by dissent instead of ascent. The noble earl had argued, as if government were taking advantage of the fundholder, by requiring his consent to a measure pending a negotiation which, in its result, would affect the term of the agreement. Now, he could see no hardship in this. The negotiation between the two powers alluded to had been going on for a year, and government could not with propriety delay a great financial measure till the result was known. If government were in possession of information that a war was certain, there would be some ground for complaint. But this was not the case; and, therefore, there was no ground to delay a measure that would relieve the country, when that delay would only lead to stock-jobbing and inordinate speculation.

Lord *Ellenborough* observed, that as at present advised, and with the information now before the House, he would not scruple to say, that, unconnected as the act of the 24th of the late king was with the act of the 25th of Geo. 2nd, the stocks at 5 per cent interest were not redeemable until a certain portion of the debt was discharged in some other quarter. But, there ought to be a much stronger reference than any he could find in the recent acts, to that passed in the 24th of Geo. 2nd, to connect them so as to interweave them in that close degree, that would bind all the provisions of the one to the body of the other. It was true that the claims set up by dissentients on this occasion resolved themselves into two; the primary objection to this proceeding was, that 25,000,000*l.* of public debt ought to have been antecedently discharged; the second, to the intervening period of delay. His general opinion was, that if there had prevailed a universal understanding grounded on the letter of the law, with respect to the right of notice, there was no satisfactory reason why the individuals interested, should be deprived of this their imagined right. Upon this point he would suggest the propriety of calling together some of the learned judges, and taking their opinion.

The Marquis of *Lansdown* observed, that he was one of those who, as regarded the principle of this measure, could feel nothing but a disposition to acquiesce, but who, nevertheless, could not help entertaining doubts with respect to the form and mode of carrying it into execution. His principal objection was certainly of a practical nature, and was founded on that provision by which the dissent and not the assent of subscribers was demanded to the purposes to which it was framed. He apprehended that this was a departure from all understood principles of civil justice. It was the obvious effect of the proposed arrangement to confer an advantage on the parties applying in the first instance, and to impose a penalty on those who should be tardy. He had heard no good reason whatever against delay; and if, from any unavowed cause, dispatch in carrying this measure

was an object with government, it was the more incumbent on the legislature to resist such an attempt. What injury could accrue to either party, by postponing the measure till the 5th July, up to which period the present rate of interêst was to be continued?

The bill was then read a second time.

HOUSE OF COMMONS.

Tuesday, March 12.

VAGRANT LAWS.] Mr. *Chetwynd* rose to move for leave to bring in a bill to consolidate and amend all the acts on the subject of Vagrancy. In framing the bill, if he were permitted to introduce it, he would take for a ground-work his bill of last session. When he informed the House that during the last 300 years, 49 acts on the subject of vagrancy had been passed, of which 27 were now in partial operation, he thought he stated a sufficient ground for his motion. More than two centuries ago, Edward 6th had expressed a wish that the superfluous acts on the subject of vagrancy should be abolished, and that those which contained useful regulations should be combined in one statute. If such a measure was necessary at that period, how much more necessary was it now, when the Statute-book had increased more than twenty-fold? The hon. gentleman then proceeded to state the subordinate objects of his bill, in addition to the principle one; namely, the consolidation of all the various acts on the subject of vagrancy. He divided vagrants into three classes: 1st, the idle and disorderly; 2nd, the vagrant; and 3rd, the incorrigible rogue. Another object of the bill would be to specify the various punishments, and to adapt them to the present state of society. One of the best magistrates of the present day, Mr. Colquhoun, had observed, that in legislating on an offence in a free country, it was necessary to consult the feelings of the people; because, if a magistrate thought the punishment provided for an offence too severe, it was impossible for him to inflict it. He would, therefore, in the measure which he intended to propose, take care that the punishment should not be disproportionate to the offence. The regulation and amendment of the present system of passing vagrants would form another object of the bill. He had been told by some magistrates, that the system of passing vagrants might be altogether abolished. He had doubts upon that point; but it was a subject for the consideration of a committee. If a committee should be of opinion that the system could not be altogether abolished, still means might be devised for preventing the abuses to which it was liable. He had that day received a letter from a magistrate in Wiltshire, who informed him, that the expense incurred by that and an adjoining county for only one year in passing vagrants amounted to 2,587*l*. It was highly necessary that some regulation should be adopted with respect to the different lodging-houses for vagrants; which were, in general, nurseries for crime of every description. He was at present of opinion, that such houses should be licensed like public houses by magistrates who should bind the owners in recognizances for their good behaviour. The hon. gentleman then moved, "That leave be given to bring in a bill, for consolidating into one act, and amending the laws relating to Rogues, Vagabonds, Vagrants, and other idle and disorderly Persons."—Leave was given. After which, the hon. gentleman moved for leave to bring in a bill "to facilitate Summary Proceedings before Justices of the Peace."

Mr. *M. A. Taylor* said, that the public, whatever might be the result, were highly indebted to the hon. member for the attention which he had bestowed on this subject.

Leave was given to bring in the bill.

COLLECTION OF THE REVENUE.] Colonel *Davies* rose, in pursuance of notice, to call the attention of the House to a question which, whether it was considered in a constitutional or in a financial point of view, was well-deserving of that attention. In the first place, he could assure the House, that although on the orders his notice stood for a motion on "the Collection of the Revenue," he had not sufficient presumption to think of entering at present upon the whole of that extensive subject. His object was rather to open the way to a future discussion upon it; by impressing upon the House the necessity of assuming, on so important a branch of the public expenditure, the same salutary control which they exercised with respect to others. This would appear the more indispensible, when it was considered that the charges of collecting the public revenue amounted to no less a sum than 4,000,000*l*.; a sum

nearly equal to the whole amount of the interest of the national debt, at the commencement of the late reign. This sum was altogether at the disposal of those by whom the revenue was administered. They had the sole control over it. It remained in their hands *in transitu*. No account was rendered to parliament of the details of its expenditure. Parliament came to no vote on the subject. When these things were considered, he thought that, bound as parliament were to retrench and pare down every part of the public expenditure which might be deemed in any way superfluous, they were bound to exercise on that branch of the expenditure to which he was adverting the same salutary control as they exercised over branches of less importance. It could hardly be necessary for him to state what was a fact of perfect notoriety, and which he did not mention as at all a matter personal to the present administration, but, on the contrary, as one common to all administrations, that this branch of the public expenditure was one great source of the patronage enjoyed by the ministers of the Crown, and of the power and influence which they possessed over the votes of that House. Surely that was an additional reason for assenting to his motion. But, perhaps, it might better enable the House to enter into his views, and might give him greater facility in rendering those views intelligible, were he now to read the last three resolutions which he intended to propose for their adoption. After stating in his first resolution the amount of the existing charge for the collection of the revenue, the next resolution was as follows:—

"That the under-mentioned branches of the revenue were collected, in the years 1812 and 1820, at the following rates:—

	Gross Produce.	Rate per Cent.			Increase since 1812.		
CUSTOMS.							
					£.	s.	d.
1812	£.10,023,870	£.7	17	7			
1820	12,266,214	8	19	0	1	1	5
EXCISE.							
1812	19,476,849	3	17	4			
1820	29,342,898	3	18	1	0	0	9
STAMPS.							
1812	5,428,811	2	16	7			
1820	6,564,461	2	13	7	0	0	0
LAND AND ASSESSED TAXES.							
1812	7,444,782	3	19	2			
1820	7,849,768	4	2	7	0	3	5
POST-OFFICE.							
1812	1,820,761	22	10	11			
1820	1,894,631	25	3	2	2	12	3
ONE SHILLING ON THE POUND PENSIONS AND SALARIES.							
1812	19,313	1	12	8			
1820	18,346	2	12	4	0	19	8
SIXPENCE ON DITTO.							
1812	17,081	1	15	4			
1820	8,684	2	16	4	1	1	0
HACKNEY COACHES.							
1812	27,869	12	1	11			
1820	26,37[illegible]	15	12	7	3	10	8
HAWKERS AND PEDLARS.							
1812	23,141	12	18	4			
1820	29,360	17	15	7	4	17	3

Now, he begged the House to observe, that the statements were taken from the finance accounts annually laid on the table of the House. If there was any error in them, it was to be ascribed to those financial accounts. If he had not gone back to the year 1812, he might have been met with the objection that he had taken a period of unfair comparison; as that was the year when the depreciation of our currency was at its height, and when the new system of paying several branches of the revenue had just been established. His next resolution was as follows:—

"That, on comparing the rate at which the several branches of the revenue above-mentioned were collected, in the years 1812 and 1820, it appears, that although they have greatly increased, yet the charge of collection was greater in 1820 than in 1812.

"That although it is the duty of this House, as the representatives of the people, to superintend and control every branch of the public expenditure, yet it appears that the large sums which have been annually expended to defray the expences of collecting and managing the revenue, have been disbursed without any account being given of the manner in which they have been applied.

"That, to enable this House to exercise a proper control over the public expenditure, it is fit that estimates of the probable charges of collecting and managing the revenue, be annually submitted to the consideration of parliament, and a vote taken thereupon."

He did not ask the House to go with him into any abstruse or difficult calculations. He had no intention of proposing any immediate change in the fiscal regulations of the country. That would be a subject for future consideration. But what he wished at present to press on the consideration of the House was, the expediency of assuming the same salutary

control over this branch of the public expenditure, as they had assumed over other and less important branches; by having an estimate presented of the details of that expenditure. There were only two objections which, in his opinion, could possibly be urged against this proposition. In the first place, it might be said that there would be great difficulty in making out an exact estimate of the charge of collecting certain branches of the revenue. In the customs and excise, for instance, it might be said that a sudden increase of trade might render necessary the expenditure of larger sums in the collection of those branches of the revenue, than could have been anticipated on the formation of the estimates. That was an objection easily obviated. It must be in the recollection of the House, that all these sums went through the hands of the collectors, who were under the direction of the Treasury. Why not give the Treasury the power of issuing, on such an occasion as that to which he had alluded, a sum for the expense of collection, beyond what was stated in the estimate, under the obligation of giving a detailed account of the expenditure of that sum in the next session of parliament? The other objection was, that he might, perhaps, be told, that after the proposition of the chancellor of the exchequer last night, his plan came too late; for that all had been done that could be done. If this objection were really made, it would be much in favour of his motion; for it would show, that whenever the attention of parliament was directed to any particular branch of the public expenditure, although they had been told a thousand and a thousand times by government, that that branch would not admit of the slightest farther reduction, and that any effort at additional reduction would throw the whole business of the country into irretrievable confusion, yet it was not found to be very difficult to discover means by which a farther reduction could be effected without any injury to the public service whatever. He would therefore shortly state a few of the circumstances connected with the collection of one great branch of the revenue, the Customs, which would exhibit such a lavish waste of the public money, as must, in his opinion, convince the House of the necessity of interference. The House would find it stated in the report of the committee of finance in 1797, that the increased expense of collecting the British customs at that period, as compared with 1782, was 15,700*l.*; but that during the same period, the revenue had increased from 3,900,000*l.* to 6,400,000*l.* Thus it appeared that the increased revenue of 1797, as compared with 1782, was collected at 15*s.* per cent. Now, what was the case in 1812? In 1788, the total nett income of all the British customs establishment (including fees of all descriptions, and not merely salaries), was 375,000*l.*; of which sum 25,000*l.* went to the payment of sinecures; so that 350,000*l.* was the charge for those who performed the duties of the establishment. The revenue of the customs was at that time 4,500,000*l.* In the year 1820, the amount of the salaries (including the superannuation fund, the long room, and other fees), was 980,000*l.*, and the revenue was 12,200,000*l.*; being a charge for the collection of the increased revenue of 8*l.* 4*s.* per cent. In 1797, therefore, the charge for the collection of the increased revenue was only 15*s.* per cent; while in 1820, it amounted to 8*l.* 4*s.* per cent. Did not this show the imperative necessity that parliament should attend to the correction of these abuses? Did not this show that the lavish expenditure of the public money was a hydra which constantly required the pruning knife? If once the attention of parliament were allowed to slumber on this subject, up started some fresh abuse. It was the business of the Treasury to watch the proceedings of the commissioners of the customs; but "quis custodiet ipsos custodes?" By a paper which had been laid on the table, he found that the nine commissioners of the customs, between 1784 and 1813, had shared no less than 80,000*l.* among them, in the shape of gratuities, exclusive of salaries, &c. In his opinion there was something in their proceedings which almost amounted to fraud. In 1786, the commissioners appointed to inquire into the public accounts stated in their 15th report, that the income of the commissioners of the customs was nominally 1,200*l.*; but that when the peculiar taxes which they had to pay were deducted, the nett income was 975*l.* That sum parliament thought enough. But the fact was, that at that very moment the amount of those taxes was actually returned to the commissioners, in consequence of an order from the Treasury. Some of those gentlemen had received enormous sums independent of their salaries. In 1802, a Mr. Brain, one

of the commissioners, received 750*l.* beyond his salary. In 1803, he received 3,250*l.* beyond his salary; in 1804, 1,073*l.*; in the next year, 746*l.*; in the next year, 750*l.*; in the next year, 680*l.*, and in 1808, 2,392*l.* And all that time a Mr. Roe received 1,000*l.* a year for doing Mr. Bruin's duty. Would the House allow such enormous sums to be thus misapplied without investigation? If so, they had better cease to consider themselves the guardians of the public purse. Another gentleman of the name of Dean, a commissioner of the customs, received for many years a salary of 1,500*l.* as a commissioner of another public board. Unless he was much overpaid for that latter situation, he could not have had much duty to perform as a commissioner of the customs. With respect to the commissioners of the customs generally, he was persuaded that their number might be reduced from nine to six, without any impediment to the public service. Such a reduction would be much more humane, as well as more expedient, than the reduction of a number of unfortunate tide-waiters, and other inferior officers, whose salaries did not amount to more than half-a-crown a-day. He did not mean to assert that the reduction of these latter was not a proper measure; but why not reduce some of the higher officers?

He would now say a word or two to the lords of the Treasury. In the report of one of the commissions on the subject, there was notice taken of a Treasury minute addressed to the commissioners of the customs, in which the lords of the Treasury express their opinion, that the Board of customs would fail in their duty, if they appointed any individual to a situation in the customs, unless they were fully satisfied of his ability to fulfil the duties of the situation. But those very lords of the Treasury who had issued this recommendation failed to observe it themselves; for it appeared that out of the nine commissioners of the customs, seven had been appointed from other civil departments, wholly unconnected with the customs. With the exception of Mr. Richmond and Mr. Williams, would the right hon. gentleman opposite say, that any of the commissioners of the customs were qualified to discharge their duties when they were appointed? One of them had been a police magistrate. Was that a proper apprenticeship for a commissioner of the customs? Within a few months an officer of the army, who had had a seat in that House, who was connected with a noble lord opposite, and who had warmly supported administration, was appointed a commissioner of the customs. No doubt the individual to whom he alluded, was a very gallant officer; but it was utterly impossible that he could be qualified for a commissioner of the customs. To make room too for that gallant officer, a brother of his, who from long habit must have become competent to discharge the duties of a commissioner, however unqualified at his original appointment, was removed from the Board. If the lords of the Treasury conducted themselves in this way—if their practice differed so materially from their precept—it afforded abundant proof that the whole of the system, ought to be under the control of parliament. This fact was, indeed, rendered evident by the commissions of inquiry which it had been found necessary so frequently to appoint. In 1784, 1797, 1810, and 1817, commissions were sitting, investigating different parts of this subject. What could be the necessity of so many commissions to pare down the existing abuses, unless those abuses, from not being under parliamentary control, were much more extensive than in the other great branches of the national expenditure. It was impossible to doubt that there were many charges in the collection of the revenue which would not exist, if estimates were regularly laid on the table of the House. The number of commissioners of the customs might, he was well-assured, be as advantageously reduced in Scotland as in England; in the former country three commissioners, and in the latter six, would be quite sufficient to discharge the duties of the two boards.

He came now to the consideration of the superannuation fund. On referring to the report of one of the commissions on this subject, it appeared, that it was one which had called for severe animadversion. Under the operation of the 50 of Geo. 3rd. c. 117, by which the practice of creating a superannuation fund, by the reduction of salaries was changed; it appeared, that in 1817, the sum expended in superannuation allowances, was 67,335*l.*; and that in 1818, it was 71,095*l.* Now, the whole amount of the superannuation fund, previous to the 50 of Geo. 3rd. when it was created by the reduction of the salaries, was 10,000*l.*! That act had

been abused by the grossest system of jobbing. As the commissioners had said, the principle of the act was, that there should be no recommendation for retired allowances, unless the parties were entitled by their age, infirmities and long services, and could produce certificates to that effect. What was the case at present? That some of the officers had been superannuated after fifteen, some after ten, some after five, and some even after three years' service. In the great majority of cases, the moment an officer had served twenty years, then, without any regard to whether or not he was capable of further duty, he was immediately superannuated. And yet the act expressly declared, that the superannuation should not be granted unless the individual was disabled by age or infirmity from further service. The consequence of all this profusion was, that since the year 1816, there had been no fewer than 2,700 new appointments in the customs alone in Great Britain!

He should next advert to the preventive service; or, as it might more properly be called, the coast blockade, for preventing smuggling. He found by the returns, that this service alone cost the country, in the last year, 611,000*l.* But notwithstanding this, smuggling was still carried on to an alarming extent; in fact, it was known that ladies of high rank were in the habit of smuggling to a great extent. But there was another light in which this question might be viewed. Suppose the capture of 500 tubs, making 2000 gallons of foreign spirits—that cargo could be purchased abroad, and imported here at an expence of little more than 250*l.* By the existing regulations, there would remain (after the payment of the king's share, and other expences) a sum of 1,200*l.* to be divided between the officer and the informer upon this capture. Of this sum, two-thirds went to the officer, and one-third to the informer. So that an informer, even informing upon himself, would receive a sum of 400*l.* for that cargo, which originally cost him no more than 250 or 260*l.* The gallant officer here read an extract of a letter from a magistrate at Brighton, in which it was stated, that a person who had given information of a smuggling transaction, had, when put upon oath, denied any knowledge of the business, and when more closely examined, he admitted that he was prevented by fear from substantiating his statements. He should recommend, as the best mode of preventing smuggling, a reduction of the importation duty on foreign spirits, from 19*s.* to 12*s.* This would have the effect of putting an end to smuggling, as it would render it an unprofitable business. By this means they would add to the revenue on the one hand, and, on the other, they would be enabled to make a considerable reduction in the expence incurred by the coast blockade. By the increase of the duty on spirits since 1810, from 15*s.* to 19*s.*, there had been a reduction of revenue from 2,000,000*l.* to 199,000*l.*, being, in fact, no more than one tenth of the former duty. Alluding to the ruinous expence which attended exchequer prosecutions, he mentioned the fact of a man who was accused, and who, though conscious of his innocence, offered 150*l.* as a compromise, rather than incur the expence of a law suit. The offer was refused, the cause went to trial, and the man was acquitted. The hon. member concluded by moving his first resolution:—

"That it appears to this House, that the sum of 4,102,245*l.* 17*s.* 11*d.* was applied in the year ending 5th of January, 1821, under the head of charges of management, to defray the expences of collecting and managing the sum of 62,882,156*l.*, the gross ordinary revenue of the United Kingdom, being at the rate of 6*l.* 10*s.* per cent."

Mr. *Lushington* said, that the gallant officer had made numerous mistakes in his view of the public accounts, not only in the items, but in the mode and manner of their application. He had made a mistake of 3,262,000*l.* in speaking of the customs, and 5,235,000*l.* in the excise. How could the House, after this, depend upon what the gallant officer had advanced? He did not impute wilful error to the gallant officer, but he was sure he should convince him that he had grossly deceived himself. The gallant officer had alluded to the charges of collecting the revenue in 1812 and 1820. He was surprised at the conclusions to which the hon. member had come. The mistake of the gallant officer arose from this. He had compared the permanent duty of 1812 with the permanent and temporary duties of 1820, omitting to take into consideration the temporary duties of 1812. The conclusion to which the gallant officer had come was, that the charge of collecting the revenue had become enormous in

1820, whereas it had only increased one twelfth of a pound per cent, since 1812. The charge being in 1812, 5*l.* 9*s.* 8*d.*, and in 1820, 5*l.* 11*s.* 4*d.* It had been stated on a former occasion, that no steps had been taken to prevent smuggling, but he held in his hand a document which showed, that on the articles of tea, spirits, and every thing but tobacco and snuff, there was an increase of revenue. This was the most satisfactory proof which could be given of the vigilance of the officers employed in the preventive service. In the article of stamps the hon. member was also in error. Adverting to the law charges of the exchequer, he could assure the House that the emoluments of the solicitor of the excise amounted not to 40,000*l.*, or 30,000*l.*, or 20,000*l.* a-year. The sum received in one year by the solicitor of the excise was 9,000*l.*, and this was to be divided between two persons, making 4,500*l.* for each. Considering the important duties which that solicitor had to perform, this could not be considered too large a remuneration. With respect to the charge of 610,000*l.* for the coast blockade, there again the gallant officer had mis-stated the amount. The total expence of this service, including every thing, was 520,000*l.*; and in adverting to the retrenchments which gentlemen seemed to think it was very possible to effect under this head, the real question was, not so much the charge of this extensive service, as whether or no it was necessary to be kept up? When the immense interests which were to be protected were duly considered, he had no doubt that the House would be of opinion, that its necessity was indisputable. With respect to the resolutions, to the first he would make no objection. The second he would object to, because it was full of errors. The third resolution should have stated, "that the charge for collecting the revenue was very *little* increased," instead of "*greatly* increased," as it at present stood; for the fact was, that in the period of years mentioned by the hon. gent., the charge of collection had varied on an average, only 1½ per cent. In the aggregate of the various amounts, stated by the gallant officer in these resolutions, he had committed an error of 8,000,000*l.* To the next resolution he also found it impossible to agree. It had been his (Mr. L's.) duty to lay before the House yearly, 9 large volumes, containing all those returns which the gallant officer complained were not regularly made. If the gallant officer would take the trouble of referring to the last set of nine volumes, he would find at the end of them, an account of the increase and decrease upon all the salaries and allowances to which he had alluded. The last resolution was to the effect, that there ought to be submitted to parliament, annually, estimates of the probable yearly expenses for the management and collection of the revenue. He should be glad to be informed how it would be possible to do this? These estimates must depend, the one upon the state of commerce, and the other upon the seasons and productions of the current year. He thought he had said enough to satisfy the House, that the gallant officer had taken a most imperfect view of the case that he had endeavoured to bring before them, and he should, therefore, conclude with moving the previous question.

Mr. *Hume* thought, that the grounds of objection stated by the hon. secretary, to the motion of his gallant friend would apply with equal force to every motion where returns might be called for. Nothing was more necessary than to have returns made to that House. If returns were regularly made, the enormous increase under the various heads of public expenditure would not have taken place. To illustrate that assertion, he would state that in 1805 the amount of collecting the revenue for Scotland was 17,000*l.*; it was now 39,000*l.* In 1807, the nett amount of the customs was 10,550,000*l.*, the expense of collecting it 655,000*l.* In 1821, the nett receipt was 9,337,000*l.* The expense of collecting it amounted to 1,097,000*l.*, being an increase of 400,000*l.* on the collection of the revenue. The increase since 1793 in various departments was equally striking. In the board of taxes the first commissioner, in 1793, had a salary of 600*l.*, in 1821, he had 1,600*l.*; in 1793 the second commissioner had 500*l.*, in 1821, 1,000*l.*; the third commissioner 500*l.*, in 1821, 1000*l.* Such an enormous increase of salaries might well account for the present heavy amount of charges. It was little better than a mockery, on the part of the chancellor of the exchequer, to think of bringing back the salaries in public departments to the standard of 1792 by a reduction of 10 per cent on the excessive salaries of some, and of five per cent on others. In the customs, the first commissioner had

2,000*l.*, double his former allowance; the deputy chairman, who had 500*l.* a year, had now 1,000*l.*; the secretaries, who had 650*l.* had now 1,700*l.* The first chief clerk, who had formerly 500*l.*, had now 1,000*l.*, and the increase of other officers was in the same proportion. In the excise there were nine commissioners. The first commissioner had 2,500*l.* a-year—the junior commissioners 1,500*l.* each. In Scotland there were five commissioners. The senior, Mr. Earl, a gentleman of great merit, who had done much to promote reform in the department under his control had 1,500*l.* a-year. The four junior commissioners had 1,000*l.* a-year each. Now he was credibly informed, that two commissioners would be quite sufficient to do the business for which the five commissioners were so highly paid. The expense of the custom-house department for Leith, amounted to 12,000*l.* a year, and for Glasgow and Greenock 12,000*l.* In each of these places, officers who were totally unnecessary, were retained at large salaries. It was these large offices which he would wish to see abolished. He would rather see the reduction of two great officers, than to see one or two dozen of junior clerks turned out of office, and deprived of the means of subsistence. With respect to the question of superannuation, there was no doubt whatever that, in many instances, the amount of pensions to persons superannuated was greater than in all fairness they ought to have been. In the colonies, men who had served five, and some not more than three years, with salaries of from 3 to 4,000*l.* a year, retired on pensions for life of 1,500*l.* a year. He would instance the case of one individual, who held a place of 2,000 a year at St. Lucie, and who had retired, after a few years service, on a pension of 500*l.* a year; He found also the name of A. Murray, collector of Nassau, who had a salary of 1,386*l.* and who retired in 1820 on a superannuation of 700*l.* a year. There was also the name of a Mr. Walsh, who was the comptroller of entries, at 1,000*l.* a-year, and who, after six years service had retired with 600*l.* a-year. This was a home case, to shew that the system of extravagance was not confined to the colonies. There was a Mr. P. Lyne, who had been collector at Sandy Point in St. Kitt's: he had 500*l.* a-year granted on the 21st March 1821, which shewed that the system of economy was of very recent adoption. A Mr. Sansom who had a salary of 500*l.* a-year for fifteen years, retired on 330*l.* a-year. Now, whether he took what the noble lord called a high tone, or a low tone, these facts must tell with the country. He could not quite go with his gallant friend in classing the customs and excise together. The management of the excise was different from that of the other branches of the revenue; because the patronage was confined to the commissioners, who admitted into the department only those who were under 26 years of age. To the customs this principle was extended last year by sir C. Long's commission. In those branches of the revenue of which the Treasury had grasped the patronage, they had no such limitation.

Sir *I. Coffin* begged to say a few words in consequence of the allusion made by name to a relative of his, Mr. Lyne. On the return of his relative to this country, he (sir I. C.) had taken him up to the Treasury. He was then quite blind, and offered to surrender the 2,500*l.* a year salary which he had enjoyed, relying upon the liberality of government to provide for him, he having lost his sight in the public service. The Treasury had in consequence, given to him that reward to which he was so fairly entitled. He only wished the hon. member for Aberdeen might as well deserve from the country a similar reward. He was in the habit of hearing that hon. member night after night and looked upon him as no better than a forestaller.

Sir *C. Long* said, the hon. member had complained, that ministers had not reduced the number of the commissioners of customs. It was very true they had not done so, and for this reason—because they were all perfectly convinced that, if the commissioners were actively employed there was not one too many. He was sorry that the hon. member had complained of some of the commissioners, as unfit for the situation in which they were placed. He had alluded particularly to one of them who had formerly been in the military line. Now, he thought, there was not connected with any department of the public service, a more able or efficient man than the individual thus noticed by the hon. member. With respect to another of the commissioners (Mr. Stewart,) no gentleman could possibly be better recommended than he was. It had been said, that he received very considerable

fees. But it should be recollected why he got those fees. The fact was, that he had been employed by the chancellor of the exchequer in drawing bills relative to the revenue—a branch of duty which no other man could perform in the same manner. The hon. gentleman had complained of the lavish expenditure of the public money in the grant of superannuations. He would not defend all the superannuations: he admitted that the system was carried much too far; and, if he were asked where it was more particularly carried too far, he would say, in the customs; and if gentlemen would look through the reports on the subject, they would find that opinion stated by himself and others. Both the hon. members had alluded to various points which, they supposed, had not been touched on by ministers. But it so happened, that there was not one of those points that had not been under consideration, as would be proved by the subsequent reports. One of those points was, the employment of offices and servants at the different boards. It would be found, that that subject had been maturely considered, and that great reductions would be made in consequence. The next point was the preventive service; and here his own decided opinion was, that shortly a very large saving would be made. The expense of keeping up the coast-blockade was, he wished to observe, included in the sum of 600,000*l.* That force was at present partly under the Treasury, partly under the commissioners of customs, and partly under the excise; but when it was placed under one superintending head, much saving would be effected. The hon. member for Aberdeen had endeavoured to make an impression on the House by means which he did not think were worthy of being resorted to. He had stated, that in 1807, the collecting of the customs cost the country between 500,000*l.* and 600,000*l.*, and that last year it cost 1,000,000*l.* Now the hon. member must know, that at the former period, the officers of the customs received fees, which were subsequently withheld, and on that account, an additional expense of 2 or 300,000*l.* was incurred. Therefore, when the hon. member stated merely the increase, without noticing the cause, he deceived the House. There was certainly a difference between the salary of the officers employed in the coast blockade and those attached to the preventive service. The latter received higher salaries, but by no means extravagant ones; and, when it was considered that they were officers of the navy, that they were intrusted with a command of high importance, and that they had performed their duty most effectually in every respect, surely no man could resist their being properly remunerated. When the hon. member spoke of instances of smuggling having been discovered on the coast. Surely he did not mean to say, because such instances had occurred, that the keeping up of a force of this nature was wholly useless? The contrary fact had been clearly established; since, notwithstanding the high duties, and the large sum which the service demanded, the amount of the revenue had considerably increased. With respect to the motion of the hon. officer, it could not be productive of any good effect, and therefore he should oppose it. How could government lay before the House an estimate of the probable expense of collecting the customs next year? What *data* had they to proceed upon? If they attempted such a thing, the hon. member and his friends would certainly come down next year and declare that government had acted most absurdly, in forming an estimate within the bounds of which they had found it impossible to confine themselves.

Colonel *Davies* briefly replied, and contended, that the rate of collection which he had spoken of in 1812 was correct. However, without dwelling on these details, the main question was, why the four millions expended on the collection of the revenue should not be brought under the view of the House by estimates, as well as the other branches of the public service.

The previous question, "That the question be now put," was then moved on the first four resolutions, and negatived. On the last resolution, the House divided: Ayes 25. Noes 93.

List of the Minority.

Bernal, R.	Haldimand, W.
Barrett, S. B. M.	Hamilton, lord A.
Burdett, sir F.	Hume. J.
Benyon, B.	James, W.
Blake, sir F.	Lennard, T. B.
Crespigny, sir W. De	Maule, hon. W.
Callaghan, col.	Moore, P.
Griffiths, J. W.	Robarts, col.
Graham, S.	Robarts, A. W.
Guise, sir W.	Rickford, W.
Hobhouse, J. C.	Russell, lord J.

Rice, S.
Sykes, D.
Smith, W.
Whitbread, S.
Wood, ald.
Wilson, sir R.

TELLERS.

Davies, col.
Bennet, hon. H. G.

Mutiny Bill.] On the order of the day for going into a committee on the Mutiny bill,

Mr. *Bennet* observed, that his hon. friend (Mr. Hume) had given notice of a motion for an instruction to the committee respecting the power of the king to dismiss officers. He hoped he would not press the motion at present, as it did not, as a general question, excite that interest which it deserved. It was the complaint, that in the House as well as out, it was the disposition to treat lightly constitutional questions in comparison with money matters. But in those times, when the members of that House were not so numerous, 152 had voted for the motion of 1734, while in the other House no less than 62 peers voted on the same side. But there was not at that time such a general indifference to constitutional questions, as unhappily prevailed at present. The gentlemen on his side of the House were on this occasion reduced to a sort of select society [a laugh]. The gentlemen on the other side might laugh and jeer, but he expressed most unfeignedly his surprise and regret, that the distinguished members with whom he had usually the honour to act, should have been absent on an occasion so deserving of their support. But in consequence of this absence, and in the hope of the presence of his hon. friends upon a future occasion, he earnestly recommended his hon. friend to postpone his intended motion.

Mr. *Bright* said, that whatever might be the reasons which induced others to be absent or present, he looked at this question as one which had received serious attention in better periods of our history, and he strongly wished that the House would return to its former character, and examine the foundation of our institutions in the spirit of those institutions. He had been taught to entertain great suspicion of a standing army. However he might differ from gentlemen who were now absent or present, in a most sacred regard for the constitution he yielded to none. The right of dismissing officers, without cause assigned, had been, on a former occasion, treated as one of the prerogatives of the Crown. He would say, should that question be again mooted, that the Crown possessed no such prerogative. It might be clearly made out that such a prerogative had never existed; and this was a time peculiarly fit for investigating that question and setting it at rest. A great war had recently terminated: a military spirit had risen up, and in considering the glorious successes of our army, we were too apt to overlook the character which constitutionally belonged to it. He looked at the navy with admiration—he looked at the militia as our constitutional and adequate defence—and he hoped, if the hon. member for Montrose should delay his proposition, that it would be only in order to bring it specifically forward at another opportunity.

Mr. *Hume* said, that although he had known a question of as great importance as the present met by as empty benches, he would not persist against the advice of his friends, but would bring the subject forward on the bringing up of the report.

The House having resolved itself into a committee,

Mr. *Hume* said, that the 29th clause of the bill respected courts martial, and to that clause he should move an amendment, which would confine courts-martial to the forms there prescribed, and declare "that no punishment whatever should be inflicted but such as was agreeable to the sentence of a court-martial, and to the forms of the act."

Lord *Palmerston* said, that no punishment could be inflicted but such as was legal, under the act; therefore the amendment was unnecessary.

Mr. *Wetherell* said, that if the amendment meant nothing beyond the carrying into effect the clause to which it was attached, it was clearly superfluous. But, if it indirectly aimed at the prerogative of the Crown to dismiss officers, let the question be fairly met, as the hon. member for Bristol had proposed.

Sir *I. Coffin* would recommend a little modesty to the mover of the amendment, if he meant that the final approbation of the sentence should not be left to the commander-in-chief.

Colonel *Wood* thought the proposed addition was a round-about way of bringing on the question which the hon. mover had said he should decline bringing on that night. He should be happy to meet the question upon constitutional grounds;

for he considered the prerogative alluded to, the best safety against the interference of the army with the constitution.

Mr. *W. Courtenay* contended, that some ground ought to have been shown for the necessity of the amendment. What grievances were there which the amendment remedied? If it meant to prevent the dismissal of officers, it was the proposition which had been postponed, in another form; if it did not, it was unnecessary.

Mr. *W. Williams* felt, that the dependance of the officers of the army upon the will of the Crown, or that of the minister was so obvious, from the recent dismissal of a gallant officer, without any cause made out, or trial instituted, that he should conceive it his duty, if no more competent person undertook the task, to move for leave to bring in a bill for the exclusion of all military officers from seats in that House, and also from the right of voting for any person becoming a candidate for a seat in that House; for he thought that many persons were excluded from those privileges who might fairly be deemed more independent than the officers of the army were now become, in consequence of the conduct of the Crown, or its ministers.

Colonel *Wood* said, he was as jealous of a standing army as his hon. friend, and regarded the prerogative as a check upon the army. The only true dangers which had occurred in our history, was when the army was severed from the Crown, and power was placed in the hands of the army. He saw no reason for such a quantum of suspicion of officers in that House. They sat on both sides. To receive the thanks of parliament in their place there, was the best reward which they could receive for a service in which, God knew, they got little wealth, though they might gather some laurels. There was no reason for excluding them any more than gentlemen of the navy or the law.

Mr. *W. Williams* asked, whether his majesty had the power of depriving a barrister of his rank, at his sole will and pleasure? There was no analogy in the cases. If the army had the power to destroy or uphold the constitution, it ought not to be under the control of any individual however high. They might turn against the people as well as against the Crown.

The *Solicitor General* said, it was clear that the king could not inflict a more severe punishment than that which had been pronounced by a court-martial. But, though the Crown could not make it more severe, it might mitigate it. Now, if the amendment were carried, it would take from the Crown the power of mitigation. If a court-martial awarded the punishment of death, the king could not, should this amendment be carried, transmute it for transportation.

Colonel *Davies* said, there were many instances in which officers who had been acquitted by courts martial had been afterwards dismissed. He instanced the case of the officers of the 85th, who having brought forward charges against their commanding officer, and failed to prove them, were dismissed; and the commanding officer was himself dismissed afterwards, although the court-martial had acquitted him.

Lord *Palmerston* said, the dismissal of the officers who had prosecuted groundless charges was no argument on the present question.

Colonel *Davies* said, his argument was, that the commanding officer had himself been dismissed, after having been acquitted by the court martial.

Lord *Palmerston* said, it was then evident that the amendment raised the question of the prerogative.

Mr. *Hume* said, he was not convinced by the argument of the solicitor-general, but he had no wish at present to agitate any point which would involve the question of the prerogative. The gallant colonel would remember that if an army, not under the control of the king, had interfered with the members of that House, and with the privileges of the people, the same might be done by one under absolute control. Its officers were perfectly dependant on the Crown, and, if he might use the phrase, were even the slaves of the Crown, in consequence of this power of dismissal.

Sir *M. Nightingall* said, he was himself no slave, and did not believe that the officers of the army were slaves. He thought they had the interest of the constitution at heart as much as any set of men in the country.

Sir *I. Coffin* said, that when the hon. member for Weymouth brought in his bill to exclude officers of the army from the House, he hoped it would include officers of the navy, that they might all go out together.

Colonel *Trench* flung back the insinuations of the hon. member for Aberdeen, to the foul source from whence they sprung. He was surprised that any member should dare to throw out such an aspersion against a body of men, who surely were not unfitted to sit in that House, because they had devoted years of their lives to the service of their country.

Sir *F. Burdett* begged to protest against this mode of making a sort of personal appeal, which was both contrary to the orders of the House, and inconsistent with the freedom of debate. The hon. officer had expressed great indignation, because the hon. member for Aberdeen had called the officers of the army slaves. Now, he (sir F. B.) had not the slightest hesitation in declaring his perfect conviction of the propriety of this language. It was language which our forefathers had held—it was an argument which had been frequently used by constitutional lawyers against the expediency of a standing army. The great objection to a standing army was, that it had a direct tendency to make the officers of the army slaves. The hon. officer might assume as high a tone as he pleased as to the purity of the motives which influenced the conduct of officers of the army—he might contend, that they were free from all undue prepossessions, and inaccessible to those motives of interest which operated on the rest of mankind; but he (sir F. B.) concurred in the sentiments, and would therefore vindicate the language of the hon. member for Aberdeen. He agreed with his hon. friend, that a standing army, and every thing connected with a standing army, was fraught with danger to the constitution and to the liberties of the people, and he would a thousand times rather die in his seat than submit to its unconstitutional control. Standing up as he did for the constitution, he had no hesitation in declaring, that a standing army was a gross infringement of every principle of that constitution. That it was such an infringement, and that it would sooner or later lead to the destruction of the constitution, was the opinion of a person, who must be admitted to be a man of some genius even by the side of the learned solicitor-general—he alluded to Montesquieu, in his book on the Spirit of Laws—it was an opinion held by the soundest lawyers, and the ablest constitutional writers this country had produced. It was to be found in almost all the great writers, both ancient and modern, who had treated on the science of government. It was the opinion of Mr. Justice Blackstone—a man who would not be suspected of being over anxious to support liberal opinions, though certainly some of his sentiments in favour of liberty would be considered as licentious in these days, by many gentlemen on the other side of the House, and especially by gentlemen of the long robe. Now what did this writer say? He complained of the act, of which the House was now discussing the provisions. He never dreamt of the doctrine, that the control of a standing army was a part of the king's prerogatives; but he declared that the power over the standing army was conferred on the Crown by the mutiny act. He complained of the severity of this act—he complained of the cruelty of many of its provisions—he stated that it had been penned in haste, and without due consideration; and he expressed a hope, that it would be revised by the wisdom of some future parliament. He expressed his regret also that the soldiers of this country should be the only slaves among a nation of freemen, and he pointed out the extreme danger to the constitution which arose from placing arms in the hands of men who were in a more debased and degraded condition than any other class of their countrymen. Every thing which had been most deprecated by this learned commentator which would have made our forefathers shudder, and at which every friend to English freedom must tremble, had been since adopted. The English soldier was set apart from his fellow-countrymen—he was made a sort of artificial Mameluke—he no longer lived under the same laws—he was shut out from the protection of the constitution. Every apprehension of the learned commentator had been realised; and, instead of endeavouring to unite and amalgamate the citizen and the soldier, the government had employed the most artful and unconstitutional means to separate the two characters, and to cut off the soldier from all connexion, all feeling of interest and sympathy with the people. The learned commentator observed, that in whatever country an army was placed out of the pale of the constitution, they would naturally become the enemies of those rights which they could not themselves enjoy; and he expressed a hope, that the constitution of England would be

able to survive what had led to the ruin of every other nation in which it had existed—the establishment of a standing army. To prevent these fatal consequences, it was incumbent upon us, he observed, to take care that the army should not be too numerous; that the character of the soldier should be mixed up as much as possible with that of the citizen; that there should be no barracks, no inland fortresses; that no means should be employed to cut off the communication of the army with the people; and that the term of service should be short, so that a principle of rotation might be established, and the soldiers be returned, from time to time, to the great mass of the people. These were the constitutional means of making the army a national support, and not an enslaved class of the community; these were the only means of avoiding the necessary consequences of maintaining a standing army in time of peace, in a free country. The noble lord opposite considered a standing army the best defence of the people of England. This was, indeed, making rapid strides towards overturning all the prejudices of our forefathers. What was Mr. Hume's opinion on this subject? Even that writer, with all his monarchical prejudices, was of opinion that a standing army would give a final blow to the liberties of the country, that it would be the *euthanasia*, or natural and proper death, of the liberties of the people of England. And well might we be said to be approaching rapidly towards this consummation, when we considered the amount of our standing army, the vast sums of money which were expended to support it, or the systematic means employed to perpetuate it. Under the guise of charitable institutions for soldier's children, infants were brought up by beat of the drum, and a race of artificial Mameluke was created in the country. For God's sake let the children and orphans of soldiers be protected; but, was it protection to exclude them from all other employments or professions, or to bring them up as a fighting class in the country?—The hon. baronet proceeded to advert to the power assumed by the Crown to dismiss the officers of the army at its pleasure, and without assigning the cause of dismissal. It was a power which it was most dangerous to exercise, and which ought not to be suffered to exist in any country. It was said, that the king could have no interest in the improper exercise of such a power; but it was the principle to which he objected. The king might be a good or a bad king; he might be a patriot monarch or an ambitious tyrant: but, whatever might be the character of the reigning sovereign, he never wished to see the liberties of the people of England dependant upon any king. Gentlemen opposite said, we might depend upon the king; and the king would take care that the army should not turn out the parliament in these times. But, where was our security for his forbearance? Suppose the king, like Cromwell, should choose to turn out the members of that House by the instrumentality of the army. If such a power were sanctioned by the constitution, it was a constitution which deserved not to be praised for its beauty, nor admired for its wisdom, nor relied upon for our security. For his own part he would place no such implicit reliance, and was disposed to place a much greater reliance upon the honour and feelings of the officers themselves, by giving to those officers, and to the army at large, the protection and benefit of the constitution. As to the power of subverting the decisions of a court martial, or dispensing with a court martial altogether, by the fiat of the Crown, or rather of the ministers of the Crown, it was a most monstrous, irrational power, and mischievous even to those who exercised it. The Crown might in this way, by listening to the calumnies of some insidious enemy, and affording no opportunity of explanation to the party accused, do injury to its best friends. Such a power existed, he believed, in no other country of Europe: for in every other country the soldier had at least the protection of being subjected to a court martial—of being heard before he was condemned. Were the soldiers of England, then, to be placed in a situation more degraded and more slavish than that of the dependent satellites of the most despotic governments? This was not, as had been contended, a mere question of prerogative; for that House was bound to listen to no plea of prerogative, unless it could be shewn that that prerogative existed for the benefit of the people. On the same principle, the judges might be dismissed at the pleasure of the Crown; for it was not to be assumed that the Crown would not misuse its power, or at all events that its ministers were so immaculate as to be incapable of abusing

it. There had been ministers who had not only turned out officers from their commissions, but from their seats in parliament; and though he supposed we now lived in more virtuous times, and the present parliament was of course immaculate, yet the possibility of the thing could not be denied, since it had actually happened at a former period of our history. The hon. baronet concluded, by thanking his hon. friend, for having drawn the attention of the country to this important subject, and by expressing a hope that he would not withdraw his amendment.

Lord *Palmerston* thought it no part of the rules of debate to permit gentlemen on one side the House to use such expressions as to them seemed convenient, and to forbid those on the other side from using strong language in their defence. The hon. baronet was in the habit of giving the House the result of his private studies; but he had omitted to state, in his quotations from Blackstone, the paragraph which identified the standing army with the British constitution. However dangerous might be the existence of a standing army, it would be infinitely more dangerous to have no army at all; and the amount of existing danger, whatever it might be, would be increased by the measure suggested by the hon. member for Aberdeen. If the army was not to be elected into a fourth estate, it must be placed under some species of control. The hon. baronet objected to that control being vested in the Crown. Was parliament, then, to have the control of the army? Wherever popular assemblies had attempted to command a military force, the thing had usually ended by that force commanding them. The observation of the hon. baronet respecting "artificial Mamelukes," referred, he supposed to the children of the Military Asylum; but the children of that establishment were allowed to choose their own professions, and the majority of them had actually chosen civil pursuits. With regard to the military rules of other governments, he apprehended that the king of Prussia had often exercised the power in question.

Mr. *Bennet* said, his hon. friend had not applied the term "slaves," to the army tauntingly or sneeringly. Certainly the language of the gallant officer was entirely new.

Mr. *Creevey* said, he had heard the hon. and gallant officer make use of the word "dared,"—a word, the use of which was always considered highly unparliamentary.

Mr. *Bennet* said, his objection was not to the word "dared," but to the words "foul source," which had been used by the gallant member and which he trusted he would take an opportunity of explaining.

Colonel *Trench* said, that the expression used by the hon. member for Aberdeen had certainly appeared to him to be coarse and foul-mouthed. He had answered it in a moment of indignation, and as he was not often in the habit of addressing the House, he feared he had inadvertently gone beyond the rules of debate. He apologized to the House for having done so, but he should not carry his apology any further.

The amendment was then withdrawn. The House being resumed,

Mr. *Bennet* informed the Speaker, that when the House had been in a Committee, a dispute had arisen betwixt two hon. members, of which, as he was not in the chair, he could not probably be supposed to be aware. One of those hon. members was his hon. friend, the member for Montrose, the other the member for Cambridge; and he regretted to say that in consequence of expressions used by his hon. friend, the other hon. member had made a retort, couched in a manner which as he was not then present, he could not designate. A subsequent explanation had been made by his hon. friend, which had been accepted by the House. A similar explanation had been made by the other hon. member, of the expression he had used; as far as the house was concerned, he might say he had made an apology; but not one word had he said with regard to the person towards whom those expressions were directed. As it was not the custom in that House, or elswhere, for such language to pass without a retractation, or ulterior consequences, he hoped some means would be taken by the House to stop any further proceedings.

The *Speaker* commended the course which the hon. member had taken, with such an apprehension on his mind as he had described. With respect to the circumstance to which he had called his attention, he begged to state, that he was present in the House as a member during the time it occurred. He was sorry the impression left on the mind of the hon. member was such as he described; but

he was bound to say that it differed from his own. The language which had caused the excitement in question, used on the one side had since been explained as being applied, not personally, but to a profession, or class of persons, to which the hon. member feeling himself aggrieved, belonged. The explanation of the hon. officer in return, was one which admitted that he spoke with warmth, and in an unguarded manner; but, what was more important, the hon. officer expressed his regret that he had used any language inconsistent with the orders of that House. Now it was plain that language tending to a personal misunderstanding, must be contrary to the orders of that House, and therefore it was, that he conceived that an explicit disavowal of all ulterior intention of pursuing the subject had been made. One hon. member was in the House, however, and it would be a satisfaction to the House to know that his sentiments were such as he had just stated.

Mr. *Hume* stated, that according to his apprehension, the explanation of the hon. officer, notwithstanding the reservation it contained, was not meant to be applicable to him in a hostile sense. For his own part, he felt perfectly satisfied, and would have prevented his hon. friend from troubling the House, had he been aware of his intention.

HOUSE OF COMMONS.

Wednesday, March 13.

DISTRESS IN CANADA.] Mr. *Marryat* presented a petition from the House of Assembly of Lower Canada, which contained a simple, but melancholy recital of plain facts and official documents. The petitioners state, that within the last year the wages of labour, the prices of the produce of the soil, and the value of landed property in that province, have diminished one half; that the amount of the exports has decreased from near 800,000*l.* to little more than 500,000*l.*; that the imports have decreased from 1,300,000*l.* to between 8, and 900,000*l.*; and that the provincial revenue has fallen off, within the last year, from more than 100,000*l.* to between 70, and 80,000*l.* They add, that all these results have been occasioned by the acts of the British legislature, which have imposed a duty on the importation of their timber, while at the same time they have lowered the duty on the importation of foreign timber; and have established a system of corn laws, under the operation of which their corn has been excluded from British consumption ever since October 1820. They respectfully state, that if their produce is thus rendered of no value by the legislative measures of the mother country, while they are compelled to send their produce to her ports, and prohibited from all commercial intercourse with every foreign power, they shall be unable to find the means of providing their population with those articles of comfort and necessity which they have hitherto been in the habit of importing, or to raise a revenue to defray the expenses of the civil establishment: and they conclude by praying, that their grain may be admitted into the home consumption of Great Britain—Sir, this tale of distress is interesting to us as well as to the petitioners; because the adversity as well as the prosperity of every colony is reflected back upon the mother country. It is obvious, that if the exports of Lower Canada are insufficient to pay for her imports, the British merchants and manufacturers, by whom they are supplied, cannot be paid; and that if the colonial revenue will not provide for the civil establishment (and Lower Canada is the only British colony that pays the whole expense of her civil establishment), the governor, judges, and other officers, who are sent out from hence, must be paid out of the revenue of this country. The statements in the petition, that their produce is rendered of no value by our late regulations, are by no means exaggerated. As to their timber, it is a fact within my own knowledge, that a cargo was lately consigned to a respectable house in this city, who refused to receive it; being aware that instead of leaving any nett proceeds, it would bring the shipper in debt. They, therefore, left it to the captain, who disposed of it, and found it insufficient to pay the freight and charges of sale. So that timber from the British provinces in North America is not only a total loss of the prime cost, but brings a further demand upon the owner. Such are the consequences of the new duties on timber, settled last session. With respect to their corn, it is only admitted into our home consumption when the average price of British wheat exceeds 67*s.* per quarter; and therefore, all that has arrived here since Oct. 1820, still lies locked up in our warehouses, with every pros-

pect of remaining there till it is spoiled, or till the value of it is sunk in rent and charges. I have before had occasion to assert, in this House, the necessity either of continuing to act towards our colonies on our old system of protection, or of releasing them from those restrictions to which they are subjected for the advantage of the mother country. To require from them a double monopoly, to bind them to take all their supplies from you, and to ship all the produce of their industry to your market, while you pass such laws as render it of no value, or prohibit it from your home consumption altogether (which is precisely the case with these petitioners), is exercising an unexampled degree of arbitrary power over them, and if continued, must soon devote them to absolute ruin. I trust, therefore, that this petition will meet that favourable consideration to which it is entitled.

Mr. *Ellice* said, that no person unacquainted with the Canadas could form a just idea of the contrast which their present situation presented to their former prosperity, or of the consequences that must inevitably result from the continued restrictions on their trade. Last year the alteration in the timber duties bore heavily on that branch of their commerce; and for the first time the operation of the corn laws prevented the introduction into this market of the other staple article of their produce. They were also, if report spoke true, threatened with the loss of their West India trade. If they were not permitted to send their produce to this market, while it was excluded from many others by the operation of the navigation laws, it was impossible they could long pay for the manufactures and supplies we compelled them to receive solely from this country; and he did hope some relaxation of the present restriction, and, above all, the admission of their corn, might be conceded, without risk of injury to the agricultural interests.

Mr. *Bennet*, of Wilts, opposed the prayer of the petition, on the ground that it was as necessary to protect the English agriculturist, as it could be to relieve the Canadian corn grower. When corn might be imported into this country, large quantities of American grain had been sent to Canada; and thence smuggled into England; so that the restraint now complained of the petitioners had brought upon themselves. He wished to give the colonies all equitable protection, but could not consent to afford that species of relief which the petitioners now desired.

Mr. *Wilmot* was fully convinced of the reality of the distress complained of, but he must remark, that there was nothing in the measures lately adopted that could produce that distress. He thought it desirable that this petition should be referred to the special notice of the agricultural committee.

Mr. *Ricardo* thought the House bound to attend to the complaints of the petitioners. The Canadians suffered serious hardships which ought to be removed; they complained, 1st. That we did not take timber from them on the same terms as we did before. 2nd, that we refused to admit their corn. And 3dly, that they were subjected to the inconvenience of purchasing all articles in our markets. As to the first, we had a right to go to any market we pleased for our timber; but, on that very principle, the second cause of grievance ought to be done away, and their corn ought to have access to our markets. With respect to the forcing the colonies to purchase in our markets, when they might be more conveniently supplied elsewhere, it was an inconvenience to which they ought not to be exposed. He would always oppose that principle, not only as applied to Canada, but to every other colony.

Sir *I. Coffin* thought it would have been a good thing for this country, if Canada had been sunk to the bottom of the sea. It cost this country 500,000*l.* per annum, and did not make a return to it of 500 pence. The Canadians, by the timber trade, had been in the habit of cheating this country out of 300,000*l.* yearly. This had been done by suffering great quantities of American timber to be sent down the river St. Lawrence, which had been then brought to England as Canadian timber. Yet, after acting such a part, they now threw themselves on that House for support. The sooner the governor was called home, and the sooner the assembly and colony were suffered to go, he should be sorry to say—*au Diable*, the better.

Mr. *W. Smith* allowed that Canada cost us a great deal of money: but that made it the more necessary to take such steps as did not interfere with its improvement. He was convinced that if the province was made easy and comfortable with respect to its commercial relations, we need

not be at the expense of a heavy military establishment to defend it.

Ordered to lie on the table.

ILCHESTER GOAL — TREATMENT OF MR. HUNT.] Sir *R. Wilson* presented a petition from a person of the name of Joseph Healy. The object of it was, to implore the House to address his majesty, in order to obtain a remission of the remaining part of Mr. Hunt's sentence. The petitioner had been arrested at the same time with Mr. Hunt, and was sentenced, for what he did not conceive to be an offence, to an imprisonment of one year in Lincoln Castle. The manner in which the petitioner spoke of his treatment whilst under confinement formed an agreeable contrast with the descriptions which the House had lately so repeatedly heard with respect to the usage of Mr. Hunt in Ilchester gaol.

Mr. *Fowell Buxton* said, he had been prevented, by unavoidable absence, from making a few observations, which he would now take the liberty of addressing to the House. In the first place, he was of opinion that the charges which had been made against the government of Ilchester gaol, both by Mr. Hunt, and the hon. alderman (Wood), had been fully and clearly established, and that a case of great hardship and oppression had been made out. He found from the evidence taken before the commissioners, that the gaoler had resorted to the extraordinary and cruel proceeding of applying a blister to the head of a prisoner named Thomas Gardiner, by way of punishment. The treatment to which another prisoner named Hillyer, was subjected, was also most unjustifiable. It appeared that this unfortunate man was loaded with double irons on his arms and legs, and the chain by which they were connected was so short that it was almost impossible for him to stand upright. A still more striking instance of improper treatment was exhibited in the case of a female, named Mary Cuer. This prisoner was confined in irons with her child, in a cold and damp cell during a period of frost and snow. In consequence of the treatment she had received, and the situation in which she was placed, the unfortunate woman was unable to afford any nourishment to her child, other than that which could be derived from bread and water, with the latter of which articles she was supplied in a bucket. This was a most flagrant instance of cruelty; but another perhaps more shocking was to be found in the case of a debtor of the name of Treble, who, after having been confined in a cold cell, was allowed to expire in the common-lodging room, subject to all the noise and disturbance created by the other prisoners. All these cases led him to the conclusion, that gross abuses had existed in the gaol, that the conduct of the gaoler had been exceedingly illegal and cruel, and that government ought to order the prosecution of that officer. Another conclusion to which he had come was, that all the allegations which the worthy alderman had made with respect to the management of the gaol, were completely established by the evidence; and he was of opinion that the worthy alderman was entitled to the thanks of the House and the country, and particularly of all persons interested in the good management of prisons, among whom he (Mr. B.) might be classed, for having, in in spite of all the obstructions which had been thrown in his way, so effectually discharged his duty. He (Mr. Buxton) had formerly made a favourable report of Ilchester gaol, and it was known that the commissioners had now given an unfavourable one. To account for this discrepancy, he would willingly admit that he had been wrong; but the House would recollect that he had examined the gaol in 1818, and the commissioners in 1821; and it was in the interval that the mal-practices complained of had been introduced. He was justified in saying this by the language of the commissioners. The report stated, that the abuses which had been lately detected had grown up in the gaol since the period when sir John Palmer Acland was the visiting magistrate. Now, at the time he (Mr. B.) examined the gaol, sir John was the visiting magistrate. He must also observe, that the commissioners, in their report, alluded to every thing connected with the gaol but the manufactures, which however, was the subject to which his attention had been particularly directed. It must be evident, therefore, from all the circumstances which he had stated, that he was not to blame for the report which he had made respecting the gaol of Ilchester. Having said so much in his own vindication, he felt it necessary to make a few observations with respect to Mr. Hunt. The House knew, that the judges in sentencing Mr. Hunt, had taken into their consideration the supposed advan-

tages of the prison in which he was at present confined. Those learned authorities believed that prison to be one of the best in England; and they supposed that they were sentencing Mr. Hunt to be confined for thirty months in a wholesome and well-regulated gaol. Without meaning to cast any reflection upon those learned persons, he must say they had been misinformed. For twenty months the sentence of Mr. Hunt had been aggravated by the treatment he had received, and the unhealthy state of the gaol. Of the latter circumstance there could exist no doubt, seeing it was proved, that out of 600 persons who had last been confined in the gaol, no less than 400 had been attacked by sickness. A still more convincing proof of the unwholesome state of the gaol might be found in the evidence which had been given before a coroner's inquest which sat upon the body of James Bryant, an individual who died in the prison. It appeared from that evidence, that the gaol had been flooded six times in the course of as many weeks, and that there was no room in which the deceased could sit with a fire in it during his illness, that was not at least six inches deep of water. The jury, upon hearing the evidence, declared that the deceased had died by the visitation of God; but added, that the event had been accelerated by the damp state of the prison. In this prison Mr. Hunt was now living. It was clear that the judges never intended that he should suffer such a punishment. He had no hesitation in saying, that if the remainder of Mr. Hunt's term of imprisonment were passed in that gaol, he would suffer more than the law intended. He trusted that government would take the circumstances of Mr. Hunt's case into their consideration, and remit the time yet unexpired of the period during which he was sentenced to be confined. He did not mean to say that Mr. Hunt merited the favour of government, or that his sentence was originally too severe: but for this he would contend — that whether the conduct of Mr. Hunt had been good or bad, whether he were the best or the worst man in the country, he was entitled to justice, and justice required that he should suffer no greater degree of punishment than was defined in his sentence.

Sir *T. Lethbridge* quite agreed, that if Mr. Hunt's punishment had been aggravated by the treatment he had received, that would form a good ground for a remission of the remainder of his sentence. He was glad, however, to find it admitted, that at one time Ilchester gaol was well regulated. That was a material lessening of the charge against the localities of the gaol, and the general character of the gaoler. He was by no means disposed to uphold any such improprieties as those alleged in the report, if they should be proved to exist. Wherever the blame was justly due, there it must fall.

Mr. *Dickinson* observed, that the magistrates had certainly been much deceived with respect to the character and conduct of the gaoler, but that they shared the delusion with the hon. member for Weymouth, who had stated in his account of the gaol, that it was impossible to observe his conduct without admiration. It must be considered as highly creditable to the magistrates, that on the first accusation by Mr. Hunt, they gave him every means of establishing the truth of his allegations. He was convinced the magistrates of Somerset were as incapable of inhumanity and tyranny, as any of those whom he had the honour to address.

Mr. *Peel* said, he had read the report with that regret which any man must feel, at discovering the particular instances of misconduct alluded to. No man could read without indignation the treatment inflicted upon three of the prisoners, on the head of one of whom a blister had been put, not for the purpose of administering relief or consolation, but to augment the punishment of an individual for refractory conduct. Such an instance of cruelty could not be read without indignation, not only against the person applying for the blister, but the medical man who had administered it. He did not ask the House to withhold their unqualified censure, from those who had so justly incurred it; but he only called upon them to suspend their judgment upon the whole case, until the evidence was presented. With respect to Mr. Hunt, the circumstances must, indeed, be very special and strong, which, in the present instance, would induce him to discuss it; particularly as the subject would in a few days come before them in the shape of a specific motion; but he had no objection to state the result of the inquiries he had made into Mr. Hunt's present condition in the prison. Mr. Hunt occupied two rooms in the gaol which had a northern aspect; the adjoining ward was appropriated for the recep-

tion of two prisoners who waited on him; and he had the privilege of walking at stated times in the yard. That contradictory orders had been issued respecting Mr. Hunt, he knew; but he must defend the magistrates from the suspicion of being actuated by unworthy motives in any part of their conduct. He believed that they were much disposed to make the situation of Mr. Hunt as comfortable as was consistent with the discharge of their duties. Commissioners were now sitting to consider how far the situation of Ilchester gaol was susceptible of improvement. With respect to the admission of Mr. Hunt's friends, the high sheriff had taken upon his own responsibility to admit them, subject to the terms of the regulation which subsisted when Mr. Hunt first entered the prison, and to which he was not understood to have objected. It was evident, that the magistrates had taken great pains to render the gaol as commodious as possible, and to remedy the obvious defects of its situation. They had directed an inquiry to be instituted, to ascertain the best mode of repairing the prison, and to report the progress they had made, at the next quarter sessions. That some of the visiting magistrates had been guilty of negligence, he would candidly admit, but it had obviously arisen from their confidence in the gaoler, who had deserved every praise for his conduct during the time that the typhus fever raged in the prison. He did not refer to that conduct as in any degree palliating his subsequent misconduct, but only as justifying the confidence which the magistrates had reposed in him. He came to them from the hulks, recommended by an excellent character, and it was by his previous conduct, that he had been able, naturally enough, to impose upon them. So well had he deserved that character when he first had the superintendence of the prison, that the hon. member for Weymouth, when he had visited it, said, "I was not so fortunate as to see the gaoler, but the general aspect of the prison convinced me that he had done his duty well towards the magistrates, who had also nobly discharged theirs." The right hon. gentleman concluded by urging the propriety of placing a confidence in the integrity and impartiality of the magistracy, on account of the great importance of their gratuitous services to the country, and the necessity of giving them the fullest support.

Mr. *Bennet* said, he felt no disposition to retract the expressions he had applied to the visiting magistrates. The censure he had cast upon them was justified by the report, and he should feel it to be his duty, if the subject were not taken up by others, to move an address to the Crown for their removal. Why had they not inquired into the case of the man who was thrown in irons into a solitary cell? Why had they not taken the trouble to look over the prison books, and inquire into the cause of their being so interlined, mutilated, and defaced? God forbid that he should pass a sweeping censure upon the whole magistracy of the county. It was the visiting magistrates of whom he complained.

Mr. *Hume* said, he had on a former occasion said, that several of the magistrates of Somersetshire had shewn themselves destitute of the feelings of humanity, after having carefully read over the report of the commissioners, he felt himself unable to alter that opinion.

The *Solicitor General* was anxious to state, in explanation of the repeated allusion which had been made to the part taken by two of the judges respecting the regulations for Ilchester gaol, that he had seen both the original and the altered rules. In the original, there were certainly three or four very harsh regulations, which the judges deemed improper, and had disallowed; but, neither in point of law, nor in point of feeling, could he see any thing objectionable in the rules now adopted.

Ordered to lie on the table.

OFFICE OF JOINT POST MASTER GENERAL.] Lord *Normanby* rose, to bring forward his motion for reducing the number of persons filling the Office of Joint Postmaster-General. Difficult as he at all times felt it to address that House, he should feel himself still more embarrassed if he thought it was for a moment supposed, that he was actuated by any invidious or personal motive on the present occasion. But he felt cheered by the reflection, that his only motive was a sense of duty to his country. He trusted that he should shew to the House, that this was as clear a question of reduction as any which could be brought under the consideration of parliament. It was matter of much satisfaction to him to know, that the reduction which he was about to propose, did not involve any of those dis-

tresses or hardships, which had been so feelingly described by his right hon. friend (Mr. F. Robinson) on a former evening, and which, were, in many cases, the necessary though lamentable result of the reductions which it had been found necessary to make in other public establishments. His right hon. friend had, with a feeling which did him honour, described to the House the sensations he felt at being obliged to reduce or dismiss those men who had large families, and who had spent their youth and strength in the public service. But, in the present instance, the case was different. When the House looked to the rank of the parties, they must at once see, that the proposed reduction could not be productive of any distress or embarrassment. On the contrary, he felt convinced, that the noble lords concerned, would cheerfully acquiesce in any opinion expressed by the House upon this subject. He was also satisfied, that in the event of the proposed reduction being made, the party reduced could have no claim to indemnity for his loss of office. It was also matter of great consolation to him, that in bringing forward his motion, it was not necessary he should impute blame to any body. The persons filling the chief situations at the Post-office were always of the first respectability; and those actively engaged in the business of the department under the superintendence of Mr. Freeling, could not be too highly praised for the efficiency of their services, nor could too much be said of the distinguished courtesy which was uniformly shown by the secretary to every individual who had business in his department. Neither did blame attach to his majesty's ministers, for continuing an office which had, both in good times and bad, been maintained by the government; for it could not be expected that they would surrender such a branch of patronage, until called upon by the recommendation of that House. The time had in his opinion at length arrived, when the circumstances of the country called for that recommendation. They stood pledged to principles of proper economy and retrenchment, and his task was very much lightened when he recollected that the particular reduction could not affect the comfort or respectability of any man. That the proposition now submitted to parliament was not unprecedented, he would make out; for in certain bills of the years 1812 and 1813, tending, in various ways, to economical arrangement, he found an enactment pointing directly at the Joint Postmaster-generalship, recommending that the duties should be performed by one officer, and that the salary and allowances of the second should be saved. Let the House decide whether the circumstances of the country now did not demand as strict economy as could have been necessary in 1812. As he, however, had brought the subject before the House, it might be expected that he should supply such information as had been collected, relative to the original division of the office of Postmaster-general. The period which had produced the existing strange constitution of that office—a twin birth he could not call the thing, for the divided portions of it had no separate existence—the period at which that plural unit, however, if he might so express himself, had appeared, must have been shortly subsequent to the statute of the 9th of Anne; a statute which corrected the former act of Charles II, and under which the Post-office warrants still stood at the present day. He found in the act which first established the Post-office, a direction that it should be placed under the control of one master; that master having the style and title of "his majesty's Postmaster-general." Now it required more subtlety than he possessed, to conceive how "one postmaster" could mean two joint postmasters; but the after words of the act, "he (the postmaster) and his deputies, shall do so and so," were still more decidedly at issue with the "they the joint postmaster," &c., used at the present day. The precise time, however, at which the division of office had taken place, could not be ascertained. Parliament, in the reign of queen Anne, had, at times, been very alert in the creation of new offices, and it might fairly be supposed, therefore, that they would be likely to make the most of the old ones; and, supposing any such inclination to exist, the Post-office was exactly a mark to be selected, because the patronage of the place was considerable enough to bear a division. The salary, he was aware, was not very heavy; but every one knew that the chief emoluments of the office were its patronage and the allowances attached to it: the patronage, even when halved, would be of considerable importance; and the allowances, as they could not conveniently be divided, would be doubled. An explanation,

however, had been attempted to be given to the division of the office in question, upon which he would detain the House for a single moment. It had been said, that such a responsibility as the collection of the revenue demanded the presence of two officers. Now, why two could be necessary, unless one was to be a check upon the other, he could not conceive; and such a supposition as that of check, would upon every hand be rejected. The explanation, however, if it no way served the cause of the division, went to establish one fact which was worthy of attention—it would show, as far as it went, that at the first commencement of the division, the officers appointed, actually executed some portion of the business of the establishment. One only, even immediately subsequent to the division, could have been a sinecurist: the making sinecures of both the offices, or branches of office, could not have taken place until some years after. At present, it was well known that the removal of both, far less of one, of the postmasters-general would no way impede the business of the office. He did not propose the removal of both, because he attached a certain quantity of value to the presence of a considerable name at the head of so considerable an establishment; but for the retaining of both, no plea, he thought, could be set up.—The noble lord then adverted to the ambiguous opinion, as he termed it, given by the finance committee upon the point. That committee had doubted, looking at the revenue of the Post-office, whether the collection of that revenue could be permanently confided, without disadvantage to the public, to one individual; but such a principle, if admitted, would not stop at the Post-office—it would lead to a doubling of every office in the state. His right hon. friend, the Treasurer of the Navy, would be compelled to have a double; and would become only half a public officer, instead of being, as he was at present, two public officers. He begged to be understood, as not intending the slightest disrespect to his right hon. friend, who held, he knew, one public office (and diligently performed the duties of it), without receiving any emolument; but, really, the plea of heavy responsibility was too feeble to deserve any weight with the House. The double appointment, too, he should be able to show, was mischievous as well as unnecessary and chargeable. Mr. Palmer, who, whatever difference of opinion there might have been, as to the extent of his claims to remuneration, was generally allowed to have been a great public benefactor—Mr. Palmer, speaking of the short continuance of postmasters-general in office, owing to their appointments being dependent upon political arrangements, stated, that no less than eight changes had taken place in the department in the course of one term of seven years. Changes in office arising out of changes of ministers, were not very applicable or to the point at the present moment; but, if such changes in office from year to year were mischievous, how much more mischievous must be the weekly change (by turns) of authority under the present system. As to the mischief, there could be very little doubt; it must be admitted on all hands, that the routine of such an establishment as the Post-office could only be preserved by the greatest uniformity of purpose. Against the entire uselessness of the second postmaster too, what arguments could be set up? Lord Chesterfield (himself a postmaster-general) being examined before the committee of finance in 1797, had stated a fact which was worth the attention of the House. A question being put to his lordship, as to what would be the effect of any difference of opinion between the two postmasters-general, the answer was, that such cases could seldom occur; but when they did, it was probable the junior lord would be inclined to give way to the senior. So, then, the country was paying 2,500*l.* a year to a noble marquis, to enable him to feel inclined to give way to a noble earl. [Hear, and a laugh.] As a further proof how unnecessary was the office in question, lord Clancarty, who held it from the year 1814 to 1816, was engaged during the greater part of that period, in diplomatic affairs abroad.—The noble lord then proceeded to the postmaster-generalship of Scotland, and took the office to be a sinecure, because the collection of the revenue was under the same direction with the English Post-office. The Irish Post-office was managed, too, at a much greater expense than that of this country; and surely, whatever might be the case here, there could be no occasion for two postmasters-general in Ireland. Many persons thought, indeed, that there was no necessity for any postmaster-general in Ireland; and there was

a great deal of truth in the suggestion: at the same time, he gave great value, at the present moment, to any thing which was an inducement to an Irish nobleman to reside on his own side the water; and he, therefore, abstained from proposing an abolition of the office.—He trusted, that he had brought the question forward fairly; and he had purposely abstained from sustaining his proposition by any plea for diminishing the influence of the Crown. Although, whenever any measure for the lessening of that influence came in a proper and decided form before the House, he should be most ready to declare his opinion upon it, yet he had abstained from introducing that subject into the present discussion. At the same time, he must say, that if his proposition were resisted upon any collateral ground, that it would diminish the influence to which he adverted, he should think that the people of England were ill-treated. The very distress which galled the country at this moment, arose out of the baneful consequences of a war, which, by increasing taxation, and increasing the revenue, had silently and gradually increased the influence of the Crown; and it would be hard to resist a measure for abating the distress, from a fear of diminishing the influence which had grown up with it. The question, important as it was, lay in a narrow compass, and he had almost done. If he had weakened the cause or wearied the House, let the failure be attributed, not to the subject, but to the advocate. He could not forbear, however, to remind honourable members of the importance attaching to the decision of the point before them. The fate of the motion now pending, would show the value of the success obtained a few evenings since, by his hon. friend (sir M. W. Ridley.) It would show whether the votes of hon. gentlemen on that night were to be taken as a first dividend paid to their constituents, or whether they had been put forth as a payment in full of all demands. He did not mean to affirm, that every member who had voted for the reduction of the two lords of the admiralty, was bound absolutely to vote for every other species of reduction; but he felt that the present motion was even of more importance, than that which had been gained by his hon. friend; and he declared that he would rather have seen his hon. friend standing a single "ay" in support of his own measure, than suffer his triumph to be shared by any man who thought that, in doing what he then did, he did all that was necessary for the benefit of his country. But he did not believe that any such feeling had been entertained. The hon. member for Yorkshire (Mr. S. Wortley) had declared on the former evening, to which he alluded, that he would support every proposition for reduction of expenditure, which was consistent with the safety of the country. He should scarcely, therefore, on the present occasion, find himself opposed by that hon. member, because it would hardly be said, that the maintenance of two postmasters-general was necessary to the safety of the country. The hon. member for Suffolk (Mr. Gooch) had stated, that they ought to reduce the public expenditure before they reduced taxation. Here, then, was an opportunity afforded to the hon. member, of carrying his doctrine into effect. He called upon his honourable friends—he called upon the House—to pause before they negatived the present motion. He trusted they would not act in defiance of public opinion, in derision of the general suffering, and in total oblivion of all the promises of retrenchment which had been held out to the country. The noble lord concluded by moving, "That it is the opinion of this House, that without detriment to the public service, the duties of Joint Postmaster-general might be performed by one individual, and the salary of the other be thereby saved to the public."

Mr. *Robinson* said, he could not take so narrow a view of the present question as had been taken by his noble friend; and must confess that the speech of his noble friend had produced no other impression on his mind than to confirm his previous impressions. His noble friend had said, that he did not propose, in bringing forward his present motion, to interfere with other offices; but, an acquiescence on the part of the House in the present motion—a motion which had been brought forward in consequence of the success of a motion made by an hon. baronet the other night—would, he had no doubt, lead, in various other instances, to a similar proposition founded on similar grounds. And that brought distinctly before them this principle—whether the influence of the Crown ought or ought not to be diminished? He knew it was easy to turn into ridicule any particular opposition to any

particular and isolated motion like the present. It would be easy to say in various other cases, as was said in the present, "You must vote for this reduction, unless you think that the safety of the state depends upon the maintenance of two postmasters-general." But, that was a most unfair way of putting the case. He thought it ought to be viewed on principles more broad, more general, and more enlightened. He would oppose the abolition of the present office, because he felt that no sufficient ground had been stated to induce the House to diminish, to that extent, the influence of the Crown. He knew that this doctrine was unpopular; but the experience of all mankind, the instructions of history, tended to prove, that certain influence was necessary to be attached to government, in order to enable it, with any efficiency, to discharge its functions. True it was, that the offices under the Crown had numerically increased, as compared with former times; but, on the other hand, there had grown up a counteracting influence, which opposed—and he hoped always would oppose—an inseparable barrier to undue influence in the Crown. Could any one deny the existence of that counteracting power, which rendered comparatively inefficient in the country the influence, direct or indirect, of the Crown? When the extension of universal information throughout the country was considered—a degree of information which gave respectability to public opinion which it had never before possessed—an intelligence, which no man, half a century ago, could have expected—was not the balance to government interest apparent to every man? Half a century ago, the people of England had been alive to those matters in which their interests were immediately and obviously concerned; but, were the acts of public men, at that time of day, scrutinized with the just severity applied to them at present? Could any individual in eminent station, do a single act which was not canvassed by the public at large? And, did not every public officer at present feel that he acted under a responsibility unknown to ministers of former times? True, ministers were not made accountable as far as regarded their lives or their fortunes; but they could not walk through the public streets without meeting men who knew all that they had said, and all that they had done. He was glad of this. He rejoiced at it. He thought it a great blessing. He thought it a blessing, because it was a check; and a check far more effective upon the influence of the Crown, than any which had existed when that influence, as regarded parliament at least, had been much greater than at present. The noble lord, in grounding his present proposition denied any wish to reduce the influence of the Crown; but he took all the effect which could attach to such an intention, by imputing resistance, if he met with it, to an improper aversion to the diminution of that influence. The dilemma was ingeniously contrived by the noble lord; but it was not right that the House should fall into it. Unless gentlemen were prepared to go into the consideration of all the consequences to which the motion now submitted might hereafter lead, and to pronounce an opinion upon its future operation, they could not, as he conceived, vote for the motion. He knew it might be imputed to him and to those with whom he acted, that in opposing this motion they were proceeding upon corrupt motives, and acting only from a paltry and unworthy principle of attention to their own interests. It was the duty, however, of gentlemen who had the honour of sitting in that House, to allow no imputation of this sort to interfere with their proceedings, in any case where they were called upon to express their conscientious opinions; and if he thought that the individuals connected with his majesty's government could be deterred from looking at the present question in all its bearings, by any apprehension of this sort, he would be the first man to protest against their conduct. It was because, in the honest conviction of his own mind, he thought that the present motion had an unnecessary tendency to diminish the influence of the Crown, and that such diminution of its influence was not called for on any ground of public security, that he felt himself compelled to oppose it.

Mr. *Hudson Gurney* said, he was not disposed too much to retrench the influence of the Crown; but, concurring, as he did, in many of the observations which had fallen from hon. gentlemen on that subject, he must still admit the necessity of the present motion. As far as he could understand the speech of the right hon. gentleman, he did not even attempt to say that the office of the second post master-general was at all necessary. The right hon. gentleman had talked of the influence of the Crown, and of the necessity of pre-

serving that influence. But at a time like the present, when junior clerks and meritorious officers had been dismissed and thrown upon the world, after years of public service, it did appear to him that the House would disgrace itself beyond measure—would eternally disgrace itself in the eyes of all England—if, for the sake of sustaining what was called the influence of the Crown—an influence by which, in his opinion, its real interests were weakened instead of being strengthened—it should vote for keeping up an appointment, by which 2,500*l.* a year was granted to a great lord, to induce him to support the measures of the existing administration. As such, he should give his cordial support to the present motion. [Hear.]

Alderman *C. Smith* trusted, that, on the present occasion, every loyal man would rally round the throne, to protect its just and constitutional privileges. If the House yielded to the present application, he should expect, that, one by one, each of the ministerial offices of the Crown would be abolished: and, under this impression, he should vote against the motion.

Sir *John Sebright* said, that the noble marquis (Salisbury), who was the second post-master-general, had been for a number of years lord lieutenant of his county, and had discharged the duties of that office with honour to himself, and most beneficially for the county. Having as a magistrate acted under the noble marquis, he felt towards him the utmost respect; but he was placed there to discharge a great public duty. Private feelings, in that House, were not to give way to public principle. At a time like the present, when distress prevailed to an extent unexampled, he felt it to be his bounden duty to vote for every reduction of the public expenditure, that was consistent with the safety of the state. It had not been contended that two post-masters-general were necessary. He doubted whether even one was necessary. His own opinion was, that that able and intelligent officer, Mr. Freeling, who had discharged his public duty in a manner so beneficial to the country, would be able to do the business of the post-masters-general, without any other assistance.

Mr. *Sumner* said, that at a late county meeting he had been met with a general cry of "retrenchment—unsparing retrenchment"! He was told that this was the popular cry throughout the country. But as to popular clamour, there was nothing which he mistrusted more; and the louder it was, the more his mistrust increased. He did think that popular opinion had been very much misled on the present and many similar occasions. He had expressed himself to this effect to his constituents; and had refused to receive their instructions to support their demands in parliament for unsparing, unqualified retrenchment; and had he not so refused their instructions, he should have lent his hand to the attainment of what he considered, in many cases, a great evil. As to the question before the House, he did not know whether two lords at the head of the Post-office were more or were less necessary, than two heads were to certain other boards. The House must be prepared to expect, that if the proposed reduction was effected, with a view to the diminution of the influence of the Crown, the same principle would be applied to every other office to which that influence was supposed to extend. He was not one of those who thought that the influence of the Crown had become too great in parliament, or elsewhere. On the contrary, he considered that popular influence had increased in an infinitely greater proportion. He could not, therefore, support the present motion.

Sir *Joseph Yorke* said, that having in his place voted that two junior lords of the Admiralty were unnecessary, he could not consistently oppose the present motion. He considered the second post-master-general entirely useless; and with respect to the influence of the Crown, he did not think that the influence or the dignity of the Crown, in a loyal and well-disposed country like this required to be bolstered up by half a dozen useless placemen. If these two officers of the public would be content to take the duty watch and watch, or take it by alternate three months, and receive only one post-master-general's salary, he could have no objection to accommodate them. If not, he must vote for his noble friend's motion.

Mr. *Denison* said, he would never use, out of that House, any words which he was ashamed to utter in it. He begged leave to repeat, in his place, and before his hon. colleague that he ever would be an advocate for "retrenchment—unsparing retrenchment." A right hon. gentleman had said, that the influence of the Crown had not increased. In his (Mr. D's.) opinion, it had increased, and would continue to increase; seeing that the dis-

tresses of the times, which so particularly pressed on the landed interest, would induce those gentlemen to look to the Crown rather than to any other source of emolument or advantage. It was impossible for any gentleman to look at the Red book, without being convinced of the increased influence of the Crown. If he had any objection to the motion, it was, that it did not go far enough. He was of opinion, that if the Post-office were put under the Treasury, Mr. Freeling would be able to do the business for which the two Post-masters-general were now paid. The places were, in point of fact, sinecures. The noble lords had little more to do than to receive their salaries.

Mr. *Fremantle* said, he could not, consistently with his views of the safety and honour of the country, assent to the proposition. He could not consent to pull down the ancient institutions of the country—those institutions under which the country had so long prospered. No man could say, that, if the motion were acceded to, the abolition of the office would contribute one iota to the removal of the distress complained of. And yet, if conceded, it would have the effect of breaking down and destroying the system of government piecemeal. It would naturally be said, "cut down the salaries of all the offices of government, and let them no longer be filled by noblemen or gentlemen of influence or rank, but by clerks, who would be accountable to that House." The question had, he regretted to say, been taken up on narrow grounds, and the arguments therefore were the more fallacious. It was incumbent on the noble mover, to shew in what manner the present system of the postmastership was dangerous or injurious. There certainly existed a necessity for control in this department, and that control was as effectually vested in the postmasters, as in any other public boards. He concluded by observing, that the measure was improvident, and would prove highly dangerous as a precedent.

Mr. *Stuart Wortley* said, he was anxious to state the reasons for his vote on the present question. The question had been treated by the noble mover with reference simply to the particular office which he had called on the House to abolish, on account of its inefficiency and needlessness. He (Mr. W.) could not confine himself to this view of the question. A week had scarcely elapsed since two offices conferring patronage, and contributing materially to the influence of the Crown, had been abolished: that night they were called upon to abolish another office; and, to-morrow, a whole office, the board of control was to come under consideration. Now, there was a point at which resistance must be made by those who wished to preserve the just influence of the Crown. He could not allow the establishments of the country to be thus beaten down; for, unless that measure which the gentleman opposite, he thought unwisely, advocated—a reform in parliament, were carried into effect, and the government brought much nearer to a republic than it actually was, it could not go on without a considerable influence in the hands of the Crown. Unless, therefore, they were prepared to say, that the government of this country was not near enough to a republic, it was necessary that the influence of the Crown should be preserved. As for the offices which had been abolished the other night, they had been pointed out for abolition, in the year 1797, by the committee of finance; and the feelings of the people had been so excited on the subject, that he had felt warranted in voting for their abolition. Looking also, at the proof of the inefficiency of the office under consideration, if he was sure the encroachment would stop here, he should, perhaps, consent to vote for the present motion; but, if he was to be led on step by step, last week having abolished the two lords of the Admiralty, to-day abolishing one joint-postmaster, and to-morrow the whole board of control, he would say, that he should resist at once the destruction of that influence, without which the government could not be carried on. He thought it absolutely necessary for the Crown to have its influence, and he could not consent thus, step by step, to diminish it. Having stated this fearlessly and honestly, he hoped he had only to say to his constituents this, that when they placed their confidence in him, he felt that he was to come down to that House and perform his duty to the best of his information and ability, but he could not join any man in pulling down the influence of the Crown. If they should require him to aid in reducing the influence of the Crown, he should tell them, that they must return another member, for that he should conceive that by so doing he was

deserting his duty, as much as if he were to give his support to the Crown from corrupt motives.

Mr. *Bankes* said, he had that night heard principles advanced which, during all the time that he had had a seat in that House, he had never heard propounded with an equal degree of daring. The doctrine he had formerly collected from what he had conceived to be, at the time, the best and most weighty authorities in the House was, that the Crown was intitled to a large and legitimate influence in all those offices that were more immediately connected with, what he might call, the monarchical part of our constitution. This influence was exercised by the Crown's appointment to a large body of such offices as were necessary to the discharge of the various duties that devolved upon that department of the state which he spoke of; and he always considered, that these should be placed, even more than they had been, within the immediate disposal and pleasure of the Crown. He thought that the House ought not to interfere with them, except in cases which involved some constitutional question. They were the legitimate appointments of the Crown, and they ought to be retained as long as they were necessary; but beyond this, the principle ought not to be carried. His hon. friend who had just spoken had said, that the noble mover, must show, not only that the office proposed to be reduced was useless, but that it was an office of influence. But it was sufficient for him to show that it was useless; and, indeed, the *ōnus* of proof lay on those who supported the office. All offices he conceived to be, in a certain degree, grievances. At the same time, he did not wish to diminish the influence of the Crown to a point beyond what the interests of the Crown appeared to require. His hon. friend, who opposed, but did not seem disinclined to vote for, the motion, called on gentlemen to state where the reductions of office would stop. Now this appeared to him to be one of the plainest cases that ever was brought before the House. It was not an attempt to carry the principle of economy to an extreme. In thinking that it ought to be carried, he did not go farther than he and others had done in 1812; and nothing had occurred since that time to change the state of the question. It was not intended at that time, nor did he suppose it was now meant, to abolish useful offices; but to reduce the number of useless offices, or sinecures. During the course of the debate, not a single argument had been adduced against the motion, that at all applied to the usefulness of this office. Those who had opposed the motion of the noble lord had proceeded entirely upon general grounds. When Mr. Freeling was examined before the committee, his evidence did not go to show the necessity of the office, though it appeared from what he stated, that it was not altogether such a sinecure as many gentlemen supposed it to be. He was perfectly ready to do justice to the great merits of Mr. Freeling; but he was not prepared to say, that it was not necessary to have a person of rank and consequence at the head of a department of so much responsibility. He felt the duty which he was now performing to be especially imposed on him, in consequence of the line of conduct he pursued in 1812—1813; as he was then the mover of the address to the throne on the subject of retrenchment which had been graciously answered. It therefore appeared that the Crown was not offended with the interference of parliament. And how, indeed, could general views of economy and retrenchment be carried into effect, if what had been termed prerogative and patronage were left wholly untouched? The pledge which the house had given in the year 1812—1813, had not been redeemed; and his expectations, he confessed, had been exceedingly disappointed. He regretted extremely, that ministers had not shown a wish to adopt that temperate economy and reform, by which so much benefit might be effected for the country. He looked forward, however, with confident expectation to the division of that night; for, in his opinion, it could not be otherwise than in favour of the abolition of this office. Not a word had been said in its defence, except that it was necessary to keep up prerogative and patronage, and that it was of very ancient origin. The latter was as weak as the former; since an office that had existed for centuries (which, however, was not the case with this) might be completely useless. In point of economy, the saving would not be very great; but, the principle was of immense importance. He would always support the existence of those offices which, while they added to the prerogative of the Crown, were necessarily connected with the interests of the country;

but he could not give his vote in favour of the continuance of useless offices, on the ground that they were necessary to keep up a certain extent of influence.

Mr. Secretary *Peel* said, that his noble friend who had commenced the present discussion, had treated the question with reference solely to the duties of the particular office. He had been followed by his right hon. friend, who had met the question on the general ground of principle, and had declared that the proposition was *ab initio* to be resisted, as an attempt to diminish the legitimate influence of the Crown. He did not, however, understand that his right hon. friend in any way conceded, that the office was unnecessary, because he had met it on more enlarged grounds, which he thought sufficient to decide the question. He hoped, however, he should not treat the subject unfairly, if he combined both the elements of the discussion which had been heretofore taken separately, and considered; in the first place, whether the particular office was so entirely inefficient as it had been represented to be; and, in the second place, what effect its abolition would have on the general interests of the state. On the first part of the question, he should submit some considerations, which, if not conclusive in themselves, it was at least fit that the House should advert to. In considering the nature of a particular office it was fit first to inquire when it was founded, in order to ascertain the circumstances which might have called for it. Antiquity was was not in itself a proof of the importance of an office; but, on the other hand, if it was created under temporary circumstances, which had passed away, a very strong argument in favour of the abolition of an office was afforded. They were now constantly referred to the year 1792. The establishment of that time was the standard to which every thing was to be brought. If the office had been created since that time, in consequence of the war that had intervened, there was a fair presumption that it should be abolished. He also referred to 1792; but it was to 1692, and in that year he found the office in existence, and held by two joint postmasters-general. That, therefore, was a slight presumption in favour of the office: but there might have been, it was true, such a diminution in the duties of the office, and the nature of it might have so changed, that that presumption might be destroyed. Was there any such diminution? He asked the House to look at the duties and the efficiency of the office, as measured by the revenue which it controlled, and they would see that the office established at the Revolution had had a constant and gradual increase of duties assigned to it. He only said that this was a presumption in favour of the office; but it certainly was a strong presumption, if they found that of an office established at such a time the duties had since been quintupled. He should only take a few periods in the last reign to show the increase of the Post-office revenues. In 1764, the revenue of the Post-office was 430,000*l.*; in 1783 it was 434,000*l.*; in 1793 it was 627,000*l.*; in 1795 it was 705,000*l.*; and in 1815, and since, it was upwards of two millions.—So much as to the increase of the duties of the office, from which the House would judge whether it could be presumed to be entirely inefficient. As to the particular testimony to the efficiency of the office, they had an authority beyond all exception, in the committee of 1797; for never was there a committee to which such general and just compliments had been paid, without reference to party. What was the report of that committee? Why, that on account of the importance of the establishment to commerce and to the revenue, it was worthy of consideration whether there should not be a board of commissioners, as in the other great departments of the revenue. The committee stated truly, that much depended on the skill in making the various and numerous contracts. Now, the measure suggested by the committee would have greatly increased the influence of the Crown; for supposing five commissioners were appointed at 1,000*l.* a year, though there was not more expense than with two joint post-masters at 2,500*l.* a year, there could be no question that the patronage would be augmented by the distribution. The committee observed also, that the patronage in the hands of the Post-office was most extensive and important, and required much knowledge and considerable attention to the characters of individuals. Now, what was the proposition of one hon. member? That it should all be transferred to the Treasury, and that Mr. Freeling should be the executive officer. The proposition of the committee of 1797 was supported by the committee, on the ground that greater regularity and

dispatch would be obtained from a commission. But the business of the Post-office could not be managed with greater regularity and dispatch than since 1797; and it was not fair to attribute all the merit of this universally acknowledged result to a subordinate officer of the board. Certainly, if the question was between him and the committee of 1797, whether the board of commissioners should be appointed, he had no doubt the gentlemen opposite to him would hold his argument to be valid. Then came the committee of 1817, which had, indeed, after the experience the country had had, decided against the proposal for putting the management of the Post-office under a board of commissioners of more than two, but still was not prepared to say that the business should be managed by only one. The duties of the office were of a peculiar nature, not only as regarded the amount of the revenue, but the amount of the expenditure.—The revenue amounted to two millions, the expenditure was as much as half a million. Now, all the payments were under warrant of the joint post-master, and Mr. Freeling, whose testimony on this point would, perhaps, not be taken, had stated his opinion, that there should be two lords. As for the evidence of lord Chesterfield, no inference unfavourable to the office could be drawn from it. Being asked, what was the result when there was a difference of opinion on any subject referred? He answered, that the business was so amicably managed, that a difference seldom occurred, but that if any did occur, the junior would naturally yield to the senior. Now this was necessarily the case in all co-ordinate jurisdictions—the least experienced officer generally gave way. The salary of the joint post-master had been fixed in 1785, at 5,000*l.*, the present amount. Had they heard nothing of economy then? Had there been no reform of the civil list; no regulation of political, household, and useless offices? Did Mr. Burke, however, at that time, when in the full career of his reforms, touch the office of joint post-master, the revenue under whose management was one-third of its present amount? The only two state offices which Mr. Burke proposed to touch, were the president of the board of trade, and the third secretary of state. The office of the postmaster-general must have been under consideration; but he left it untouched. When they saw, therefore, that Mr. Burke, in laying down his large and luminous principles for the management of every department of the state, had thought it unfit to be abolished—when the duties had since been trebled—when it was proved that there were daily matters of reference on the most important matters—when the revenue managed was two millions, and the actual payments 500,000*l.*, he could not consent to treat it as an entirely useless and inefficient office.—He now approached the more enlarged view of this subject which had been taken by others; and he approached it with great diffidence, because he could not argue it without letting in questions of great difficulty, delicacy, and magnitude, as they respected the constitution of the country. It was, he thought, impossible to say what the just and exact influence of the Crown should be. At various periods the extent of that influence must vary with the varying circumstances of the time. At present, a very considerable alteration had been effected in the manners and habits of the country. The constant publication of the discussions in that House, the deference to public opinion which now marked their proceedings infinitely more than at any former period, greatly outweighed any ill that might be apprehended from the supposed increase of the influence of the Crown. Still, however, he knew no subject more difficult to argue on than the just influence of the Crown. But, if he saw an office remaining untouched for a long period—remaining untouched, when other offices were new-modelled—he could not help thinking, that it might fairly be considered as forming a part of that influence which he thought was just. He had heard doctrines stated in the course of the present session, with respect to the mode of governing a great country, which excited as much surprise in his mind, as the sentiments expressed that night appeared to have excited in the mind of his hon. friend (Mr. Bankes). The hon. member for Sandwich (Mr. Marryat) had argued, that because the depressed state of trade had compelled him to dismiss four clerks from his office, there must, therefore, be a necessity for a considerable reduction in the establishments of the country. He, however, could not allow that there was any analogy between the business of a merchant's house, however respectable, and the mode in which the concerns of a

great state were to be carried on [Hear.] Again, the hon. member for Appleby (Mr. Creevey) would lead the House to suppose, that no provision should be made for those who had passed their lives in the service of the public. He had described public men as a corporation, established for their own benefit; and he had attacked a sum of no great magnitude as being entirely too great for the reward of their services. He (Mr. Peel) had observed upon that occasion, a studious forgetfulness of all that had been done for the abolition of sinecures—an utter neglect of those measures which had been taken for contracting the undue influence of the Crown. The hon. member must have meant, or he meant nothing, that the service of the country should be left to those who would undertake great duties and trusts for nothing; or that they should be placed in the hands of a wealthy oligarchy, who could afford to labour for a very trifling remuneration. Whether this was the hon. member's meaning or not, he could not say; but, such a proceeding was inconsistent with the principles of our monarchy—inconsistent with the great principles of the constitution—and utterly inconsistent with the principles on which Mr. Burke proposed to introduce his great and comprehensive scheme of reform, when he told the House, with perfect wisdom, that he would not have the duties of the state performed for nothing—he would not give great offices to those who were able to outbid their competitors on a sinking scale. He told them, that if this country depended too much on the offers of severe and restrictive virtue—that if it trusted for the performance of public duties to the generosity of individuals, it would rue its acquiescence in such a principle. He added, that the country would find itself most inefficiently served, if it gave offices of importance to those who were willing to take them for the least possible emolument. This high principle had been acted on no later than in the last session. A sum was voted, which parliament thought sufficient to support lofty rank and elevated station. That sum was refused. But the answer of the House of Commons—and that answer re-echoed by the public—was, "we will not hear of a refusal—we have voted the money, and we cannot take it back, however interested the individual may be in the refusal." [Hear.]—The considerations to which he had adverted must be taken in the account in arguing this question. But there were others, which, though of a subordinate nature, the House would not overlook. Let the House consider what was the extent of business in the different public departments. If they looked to that point, they would find, that though the same number of offices existed, yet the fact was, that the extent of influence had decreased. The influence even of a high and efficient office at present, was very different from what it was formerly. The occupation of time in an office, the multiplication of duties, the necessary attendance in parliament, rendered individuals of extensive influence less anxious than formerly for office; and, though these duties did not degrade the office, yet they tended to contract that extent of influence which was heretofore known to exist. The Treasury department existed as it did in 1792, but its duties had increased in an eight-fold proportion; and, from the increase of business in the Treasury, the increase in other departments might be inferred. The number of official papers examined by the Treasury was—in 1793, 2,833; in 1797, 4,400; in 1815, 19,000; and in 1819 and 1820, 25,000. Thus progressively rising from about 3,000 in 1793, to 25,000 in 1819. Now, as the duties of office were thus increased, the desire of individuals, possessing extensive fortune and influence, had, it was fair to infer, proportionably decreased. He did not think there could be a principle of greater importance than that on which they were now called on to decide. The House might abolish the office; but if they did so on the principle that they thereby reduced the just influence of the Crown, he would ask them, whether they were not doing that which was, not indeed inconsistent with the safety of the country, but which was inconsistent with the substantial interests of the country? The safety of the country would not be compromised by this act. But was nothing more than its safety to be considered? Were they not to look with an anxious eye to the substantial interests of the country? There was no reason for believing that the influence of the Crown was more than commensurate with the increased power of other interests. When the influence of other bodies was hourly extended, it was fitting that a proper check should exist. Under all these considerations, he would, on the most con-

scientious grounds, give his decided negative to the motion.

Sir *J. Mackintosh* said, that if the House had been occupied with the only question which the noble mover had introduced to their notice—and on that question alone had they to decide—he certainly should have consulted his own convenience and the state of his health by giving a hearty and conscientious, but a silent vote, in favour of the noble lord's proposition. Other questions, however, and of far greater magnitude, had been introduced by the right hon. gentleman who spoke second in the debate—questions, he would say, of as great magnitude and importance, as were ever brought before the House of Commons. Novelties, as he conceived them, in constitutional doctrine, had been boldly advanced—never, before, indeed, had they been avowed so distinctly and unequivocally in a public assembly—novelties which struck nearly at the root of the British constitution—novelties, which, if the House acted on them, would be more injurious to their estimation in the minds of the people of this kingdom, than any measure they had been ever induced to adopt. He agreed with the hon. member for Corfe Castle, that on all former occasions, when reformation was attempted in that House, particucularly that of 1782, by Mr. Burke, the principle of keeping up useless offices in order to support the influence of the Crown never once reared its head. At that time the whole question was decided on a very narrow ground—"Are these offices useless, or are they beneficial to the public?" There was one exception—the great sinecures of the state. And why? Because they constituted the only provision for the retired servants of the Crown. The right hon. gentleman placed the whole defence of sinecures on that ground. But, could he argue, with any degree of consistency, that sinecures should be continued, when pensions were granted in their stead? He did, however, so argue the question. He would not only have pensions but sinecures for retired officers. The right hon. gentleman who had last spoken had showed a great deal of skill and dexterity in the arrangement of his topics. He had given great space and latitude to the unimportant part of his argument, and had passed rapidly over that which most demanded attention; because he was well aware of its difficult, critical, and invidious nature; because he did not wish to meet or reiterate what the right hon. gentleman who spoke second had unhesitatingly advanced and defended; namely, that useless offices were to be kept up in order to maintain influence—that not a single useless situation could be abolished, without placing the good government of this country in danger. But the right hon. gentleman had treated, at great length, of questions quite immaterial of themselves, and altogether irrevelant to the present motion. He had, like a skilful commander, disposed of his troops so as to give them the appearance of an extended line, and thus to prevent an attack on the weak part of his array. But, notwithstanding his respect for so great a captain, he would not imitate his tactics; nor would he direct his attention to the whole line thus skilfully constructed, but he would consider the point at issue, solely on the principle, whether the office were necessary or not. The first argument of the right hon. gentleman on this point was, that the office was an ancient one, and therefore ought not to be abolished. This was an attack upon the House of Commons for their conduct during the last ten years. In that period they had abolished offices which were as old as the monarchy—offices which were coeval with the Plantagenets. They had abolished the tellers of Exchequer; they had abolished the justices in Eyre, and they had abolished them precisely because they were ancient and useless. The House had considered them not adapted to sound and modern purposes; they had regarded them as obsolete and superannuated. They had not thought of the paradoxical view of the right hon. gentleman which would represent an office as efficient because it was old; but they had, on the contrary, acted on the belief, that an office, because it was old might, by those accidents of time, which could not have been prevented, have become inefficient.—The second proposition of the right hon. gentleman was an appeal to the year 1792. This was the model set up. In 1792 this office had existed, therefore it ought not, according to the right hon. gentleman, to be now abolished; but, in 1792, were there not tellers of the exchequer, and justices in Eyre? Those offices had been preserved, principally, because they afforded means of pensions for retired officers when no

other provision of that kind existed. But, said the right hon. gentleman, the revenue of the Post-office increased to five fold since 1792, and could they in that case call for the reduction of one of the postmasters? But, had the duties of the postmasters increased with the revenue? The right hon. gentleman would not tell the House that two postmasters were necessary, because the revenue had increased; and therefore he refuted his own case by the very nature of his appeal. In 1792, no question had been raised for the abolition of such offices. Great useless offices had then been reserved, because no other means were provided to the state for pensioning meritorious and retired servants. The right hon. gentleman said, that by the abolition of this office, the appointment to a great many offices would be transferred to the Treasury; and then what a dreadful circumstance this would be, to have so much patronage tranferred to the Treasury! He was unwilling to meet this argument by a direct contradiction; because it was very easy for the right hon. gentleman to be accurate in form, but inaccurate in substance. But the transfer which was now deprecated had been already made, and the appointment to offices, which would be more inconvenient if made by the Treasury, was already in the patronage of the Treasury. Another argument had been raised on the ground of check and public security. This touched not the proposal of his noble friend. His noble friend had not made any allusion to another being required to watch and guard the conduct of another peer. He could not have expressed such an imputation against a body with which he was so nearly connected. Then came an extraordinary topic, which the right hon. gentleman had used in defence of useless offices. And here he entreated those gentlemen who had pledged themselves to retrenchment and economy, to consider on what footing they stood with the right hon. gentleman, who had contended, that useless offices were necessary to the good government of the kingdom; and that one useless office could not be reduced without danger to that government. Let them set up this principle, and it barred all retrenchment, and all reduction of offices. —The way in which the hon. member for Corfe Castle had treated the subject, had been so strictly constitutional, and so unanswerable, as to leave him little to say upon this point of view It was, indeed, the way in which all who had entertained just views, and acquired authority upon the subject, had treated it. The hon. member had stated the just influence of the Crown as that which grew out of the legal authority of the Crown. Such influence would be continued as long as the monarchy, which he trusted would be perpetual. That influence arose from the collection and administration of the greatest revenue ever known, and the appointment to all civil and military offices. A revenue of 60,000,000*l*. an army of 70,000 men, a large navy, the constant support of nine-tenths of the patronage of India—these were the sources of just and legitimate influence, and to that influence he did not object. If it had been proposed to abandon one of our 35 colonies, which formed so fertile a source of patronage, then, indeed, it might be argued that it was an attack upon the just influence of the Crown. The right hon. gentleman had distinctly contended, that the abolition of this office would be a diminution of the just influence of the Crown. So, according to him, no office, however useless or expensive, must now be touched; for they were all necessary for maintaining the just influence of the Crown. What one, two, or three parliaments might have done, was nothing. There was no sort of limit to be allowed to the influence of the Crown. But, according to the hon. member (Mr. Bankes), with whom he perfectly concurred, the just influence of the Crown was that which belonged to it without the abolition of necessary offices, or a change in the manner and forms of government. He remembered to have heard this well stated by an hon. member not now in the House. It was on a question relating to the vice-treasurership of Ireland. In reply to an hon. friend of his, who had spoken in defence of the vice-treasnrership, an hon. member then for Peterborough now for Hertfordshire (Mr. W. Lamb), had stated with great force the principle on which, what seemed so difficult now, namely, the natural limit in the influence of the Crown, could be determined. It was this—that wherever the power was constitutional and legal, its influence was legal. If, then, parliament were to be so unsparing in their reduction as to extend it to the lowest offices, were they to maintain useless offices for the sake of influence? The clerks were fit objects for the

equity, he did not say for the compassion of the House: he would never, notwithstanding any clamour, deny to poor clerks what was equitably due to them, nor had he taken any part in the reductions which affected them. But a cruel necessity now compelled ministers, on the naked ground of influence, to continue an office not only demonstrated, but acknowledged, to be inefficient. He did not see with what face the majority in that House could apply themselves to retrenchment again, if they now voted for continuing an office on such ground. How would their conduct appear to the people of England? How would the very institution be deluged with calumnies, if the House of Commons should declare, by their vote, that the power of the Crown was so founded on rottenness, that while the people were growing in intelligence, and while legitimate influence, arising from the revenue, the army, and all the establishments of the country, was formidable, as it had never been before, yet, that it was of such a tottering kind, that it could not be supported without what, in that House, was called influence, but what would elsewhere be called corruption? He was happy to hear a right hon. gentleman appeal to the intelligence and information of the people? But, what inference ought parliament to draw from this state of growing intelligence? It was this—that no influence was necessary for supporting what was agreeable to a great and intelligent people. According to the right hon. gentleman, however, the more intelligent the people grew, the more jealous ought the government to be, and the more formidable ought they to become by the influence of unnecessary offices, in order to prevent the explosion of that displeasure which they provoked, and which might prove fatal if not thus prevented. He knew nothing which could more widen the breach, and make the separation incurable, of classes who ought to become more closely united, than such a principle. He was aware that the people were every day becoming more intelligent, and that, whether parliament did or did not take part in the honour of diffusing knowledge, the people would advance in education and provide instruction for themselves. To attend to the public voice, and not to reverse the conduct, was the only means of keeping up the right relations of the state, and preserving ministers and parliament from feeling inconvenience from what was so undeniable. Of all the arguments used on the other side, this was the most extraordinary; and that the right hon. gentleman, whose accuracy, ingenuity, and perspicuity were so great, who came always so prepared for discussion, and who understood so well the import of words, and the bearing of arguments, that he should have thus entered into the enemy's fortress, and carried away a regiment for his assistance, was the best proof of his having felt the case to be desperate. By voting for the proposition now submitted to them, the House did nothing more than admit the motion of his noble friend. They would only avoid pledging themselves to support useless places for the sake of influence, and to reduce any office not useless was not intended. Was it, then, too much to request the hon. member for Yorkshire to reconsider the question? He had said, that he would vote for reducing all expenses not necessary. Here the one-hundreth part of that principle was not required. The office in question, the hon. member was too candid and too fair not to admit to be useless. If, then, he voted not against an office which was admitted to be useless, he plainly abandoned the strong hold of principle. There could not be a stranger case than this. For the lords of the Admiralty much more might be said, and had been said. The two offices abolished had not been absolutely useless, but they had not been very necessary. That was not the situation of this office. He voted for its abolition because it was totally and absolutely useless.

Mr. *Wynn* said, he had supported the bills of 1812 and 1813 for diminishing the influence of the Crown, because a power to reward public services was substituted. Much obloquy had been previously thrown upon sinecures, and it was considered advisable to provide for public services in another mode. He admitted the merits of the secretary of the Post-office; but he could not agree to entrust so extensive a public department to his sole management; especially as a political connexion was necessary between ministers and the higher public officers. He believed it was by no means the wish of the people to strip the Crown of its legitimate influence, which was the best safeguard of the constitution.

The Marquis of *Londonderry* said, he agreed with his right hon. friend who spoke second in the debate, that this ques-

tion did not rest merely upon a consideration of the influence of the Crown, nor upon the functions of the office, separately considered, but upon a combined view of those two considerations. In the first place, he begged leave most distinctly to disclaim the principle, that any useless offices ought to be preserved, merely for the purpose of maintaining the influence of the Crown. It was undoubtedly no part of our constitution that any influence should be given to the Crown for the purpose of corrupting individuals, or inducing them to swerve from the due discharge of their public duty. His hon. friend, the member for Corfe Castle, had made a slip, when he seemed to suppose that ministers were desirous of closing the chapter of retrenchment. He was sure that no man was less disposed than his hon. friend to undervalue the extent of retrenchment which was opened to the House on a former night. There could be no stronger proof of the desire of ministers to continue the work of retrenchment, than the fact, that committees were sitting at that moment on every branch of the public service, for the purpose of ascertaining whether there was any branch in which further retrenchment might be made. It was incumbent upon the House, in looking at this question, to consider how far the 'machine of government' might be effected by any change in the official establishments of the country. When he looked at the machine of government, involving as it did the departments of the army and the navy, the collection of the revenue, and the various branches of administrative polity, he went along with his right hon. friend in thinking that the question could not be fairly canvassed upon a mere view of economical expediency, but that it must be considered on more enlarged grounds. It was not a fair view of the question to argue, that the great offices of the state, which maintain the personal dignity of the sovereign, and contribute to the political power of the Crown, as recognized by the constitution, might be conducted on a more economical scale of expenditure. How far the influence derived from those offices was or was not constitutional, was a much more important consideration; and, upon this view of the question, he was prepared to meet hon. gentlemen opposite. If they succeeded in making out an unconstitutional excess of influence, then he would admit that his argument must fall to the ground. The mere question of economy did not involve a sum of more than from 10 to 20,000*l.* as applied to the whole of these establishments. The great change which had taken place in the extent of business and the mode of conducting it, had placed the government on a footing which rendered it impossible to be conducted without a division of the labour proportional to its increased amount. The machine of government involved 50 or 60 offices of various descriptions; and if the mass of efficient labour were diminished, they would run the risk of destroying that machine. The necessity of a reform of parliament was a favourite doctrine with some of the gentlemen opposite; and one very effectual way of accomplishing their object would be, to make the government incapable of carrying on the warfare against them. He begged it might not be supposed that he admitted the present office to be unnecessary or inefficient, or that he voted for it as a sinecure office. His hon. friend (Mr. Bankes) had indeed included this office in the schedule to a bill which he brought in, in 1813; but, when parliament came to exercise a deliberate judgment on the subject, it rejected the proposition of his hon. friend. Was it the opinion of the committee of 1797, that the office was a useless sinecure which ought to be suppressed? So far were they from being of this opinion, that instead of two officers for the control of this department, they recommended a numerous board. He therefore hoped that the gentlemen of England would see the impropriety of acceding to the present motion; and trusted that they would come to the determination of rejecting it, regardless of the unpopularity to which such a determination might for a time be subjected. A noble example had been set them that evening, which he trusted that all of them would follow. Whether they would or not, he could not tell; but of this he was sure, that if they truckled to the spirit and the clamour which was now abroad, they would betray their own situation, and what was worse, they would betray the people themselves.

Sir *John Newport* said, the noble lord had avowed that it was not his intention to maintain that useless offices should be kept up for the support of the influence of the Crown, and yet his whole speech had been a contradiction to that avowal. This office was admitted to be quite

useless by the finance committee of 1797; for they said that, as it was administered by post-masters of great rank but positive inefficiency, it ought to be regulated in some other manner; and then they suggested a board of five commissioners. The House ought to abolish this office, lest an opinion should get abroad, that it had been retained because it was held by an individual of great rank, whilst others had been abolished because they were held by individuals of scarcely any rank at all. He implored the House not to make war upon public opinion, nor to treat the demand of the public for retrenchment as idle, unfounded clamour.

Sir *I. Coffin* observed, that the post-masters-general did not do any duty, and, therefore, he thought they should be both abolished.

Lord *Normanby* shortly replied. After his majesty's ministers had brought down the King's gracious message, announcing his majesty's intention of making a great sacrifice out of his personal income, it was rather extraordinary that they should take so early an opportunity of making the Crown the means of defending a piece of mere ministerial patronage.

The House divided: Ayes 159. Noes, 184. Majority against the motion 25.

List of the Majority, and also of the Minority.

MAJORITY.

Alexander, J.
A'Court, E. H.
Arbuthnot, rt. hon. C.
Apsley, lord
Ancram, lord
Antrobus, G. C.
Browne, Peter
Balfour, John
Bourne, rt. hon. W. S.
Bruce, Rt.
Buchanan, J.
Binning, lord
Bathurst, hon. S.
Bathurst, rt. hon. B.
Broadhead, T. H.
Brudenell, lord
Barne, M.
Barry, col.
Blake, Rt.
Bradshaw, T. H.
Burgh, sir U.
Beresford, lord G.
Blair, J.
Blackburne, John
Brogden, J.
Cole, sir L.
Cecil, lord T.
Campbell, Arch.
Chandos, marq.
Courtenay, T. P.
Courtenay, W.
Cholmondeley, lord H.
Calvert, John
Cust, hon. col.
Cheere, E. M.
Croker, J. W.
Cumming, G.
Canning, rt. hon. G.
Cockerell, sir C.
Cripps, J.
Cranbourne, visct.
Clive, Rt.
Clive, lord
Cockburne, sir G.
Collett, E. J.
Copley, sir J. S.
Dalrymple, A.
Divett, Thos.
Dawson, G.
Dodson, John
Dunlop, J.
Drummond, H. Home
Downie, Rt.
Drake, T. T.
Dawkins, J.
Dawkins, H.
Douglas, W. R. K.
Dundas, rt. hon. W.
Estcourt, T. G.
Egerton, W.
Evelyn, L.
Ellis, C. R.
Ellis, T.
Fleming, John
Forbes, lord
Fremantle, Wm.
Fleming, John
Forrester, F.
Gossett, col.
Gower, lord F. L.
Grant, A. C.
Gordon, hon. W.
Graves, lord
Gladstone, John
Gilbert, D.
Goulburn, rt. hon. H.
Grant, G. W.
Gifford, sir R.
Holford, G.
Holmes, W.
Hill, sir G.
Hardinge, sir H.
Huskisson, rt. hon. W.
Hodson, J. A.
Hope, sir W,
Irving, John
Jolliffe, G. H.
Jenkinson, hon. C. C.
Knox, hon. Thos.
Kerr, David
Lindsay, lord
Lindsay, hon. H.
Lloyd, S. J.
Luttrell, H. F.
Luttrell, J. F.
Lowther, visc.
Lowther, John
Lascelles, hon. W.
Londonderry, marq. of
Lewis, T. F.
Lockhart, W. E.
Long, right hon. C.
Lenox, lord G.
Macqueen, T. P.
Macnaghten, E. A.
Mundy, G.
Magennis, R.
Martin, sir T. B.
Manning, Wm.
Musgrave, sir P.
Manners, lord C.
Manners, lord R.
Mills, C.
Neale, sir H. B.
Nightingale, sir M.
Nugent, sir G.
Needham, hon. F. J.
Onslow, Arthur
Osborne, sir John
Ommanney, sir F.
Pole, sir Peter
Pollington, visct.
Pitt, Jos.
Palmerston, visc.
Prendergast, M. G.
Pennant, G. H. D.
Plumber, John
Paxton, W. G.
Paget, hon. B.
Peel, right hon. R.
Phillimore, Dr.
Plunkett, rt. hon.
Peel, W. G.
Phipps, hon. Ed.
Pringle, sir W.
Rae, sir W.
Rice, hon. G.
Robinson, rt. hon F.
Rowley, sir J.
Russell, J. W.
Ryder, rt. hon. Rd.
Sandon, visc.
Scott, hon. John
Shiffner, sir G.
Smith, Ch.
Sumner, G. H.
Somerset, lord G
Somerset, lord E.
Strutt, T. W.
Shaw, sir rt.
Stewart, A.
Seymour, Horace
Strathaven, lord
Sheldon, Ralph
Taylor, sir H.
Taylor, G. W.
Trench, col.
Twiss, Horace
Townshend, H.
Uxbridge, earl of
Ure, M.
Villiers, rt. hon. J.
Vansittart, rt. hon. N
Wilbraham, E. B.
Williams, Rt.
Wilson, sir H.
Wilson, W. W. C.
Wilson, Tho.
Wetherell, C.
Wellesley, R.
Warren, C.
Wortley, J. S.
Warrender, rt. hon. sir G
Wood, col.
Wallace, rt. hon. T.
Wynn, sir W. W.
Wynn, C. W.
Wilmot, Rt.
Willoughby, H.
Windham, W.
Yarmouth, earl of

TELLERS.

Clerk, sir G.
Lushington, S. R.

MINORITY.

Abercromby, hon. J.
Althorp, visct.

Astley, sir J. D.
Beaumont, T. W.
Barham, J. F.
Baring, sir T.
Barrett, S. M.
Bennet, hon. H. G.
Benyon, B.
Bernal, R.
Birch, Jos.
Bright, H.
Burdett, sir F.
Bury, visc.
Byng, G.
Benett, John
Bankes, H.
Baillie, John
Belgrave, visct.
Bentinck, lord W.
Blake, sir F.
Buxton, T. F.
Boughey, sir J. F.
Brandling, C.
Butterworth, J.
Calvert, C.
Calcraft, John
Campbell, hon. G.
Cavendish, lord G.
Cavendish, H.
Cavendish, C.
Coffin, sir I.
Coke, T. W.
Colburne, N. R.
Concannon, Lucius
Crespigny, sir W. De
Crompton, S.
Creevey, T.
Chetwynd, G.
Coote, sir C.
Calthorpe, hon. F.
Corbett, P.
Cole, sir C.
Cherry, G. H.
Davies, T. H.
Denison, W. J.
Dugdale, D.
Doveton, G.
Davenport, D.
Dickinson, W.
Ebrington, viscount
Ellice, E.
Eastnor, lord
Fergusson, sir R. C.
Fitzgerald, lord W.
Fitzroy, lord C.
Fitzroy, lord J.
Foley, J. H.
Farrand, Robert
Fane, John
Ford, M.
Fellowes, W. H.
Graham, S.
Grenfell, P.
Griffith, J. W.
Guise, sir W.
Gooch, T. S.
Gipps, G.
Haldimand, W.
Hamilton, lord A.
Hobhouse, J. C.
Howard, hon. W.
Hume, J.
Hurst, R.
Hutchinson, hon. C. H.
Hulse, sir C.
Harvey, sir E.
Kennedy, T. F.
Legh Keck, G. A.
Lamb, hon. G.
Lambton, J. G.
Lemon, sir W.
Lennard, T. B.
Lushington, St.
Langston, J. H.
Leake, W.
Littleton, Ed.
Leycester, R.
Lethbridge, sir T.
Maberly, J.
Maberly, W. L.
Macdonald, J.
Mackintosh, sir J.
Martin, J.
Maule, hon. W.
Moore, Peter
Marjoribanks, S.
Marryat, J.
Miles, P.
Neville, hon. R.
Newman, R. W.
Newport, rt. hon. sir J.
O'Callaghan, J.
Ord, W.
Ossulston, lord
Palmer, C. F.
Pares, T.
Phillips, G.
Philips, G. R.
Peirse, Henry
Price, R.
Pollen, sir John
Pym, F.
Portman, Ed.
Rickford, W.
Ricardo, D.
Ridley, sir M. W.
Robarts, A.
Robinson, sir G.
Russell, lord J.
Russel, R. G.
Rice, T. S.
Robertson, A.
Rumbold, Ch.
Scudamore, R.
Scott, J.
Sykes, D.
Sebright, sir J.
Shelley, sir J.
Smith, hon. R.
Smith, W.
Smith, John
Smith, G.
Smith, Sam.
Smith, Abel
Smith, Robert
Taylor, M. A.
Tierney, rt. hon. G.
Tynte, C. R.
Tulk, C. A.
Tennison, C.
Townshend, lord C.
Walpole, lord
Warre, J. A.
Webb, Ed.
Wharton, John
Whitbread, S.
Williams, O.
Williams, T. P.
Wilson, sir R.
Winnington, sir T.
Wood, Matthew
Wells, John
Wodehouse, Ed.
Westenra, hon. H.
Yorke, sir J.

TELLERS.

Duncannon, visct.
Normanby, visct.

HOUSE OF COMMONS.

Thursday, March 14.

Motion respecting the Simplifying and better Arrangement of the Public Accounts.] Mr. *Maberly* rose, to make his promised motion for the Simplifying and better Arrangement of the Public Accounts. He began by observing, with reference to the public accounts on the table, that they were, when compared one with the other, full of errors; and he had to claim the indulgence of the House, while he pointed out the dissimilar nature of returns, which, strictly speaking, ought to have been the same, as they related to the same heads of account. One set of accounts, had been laid on the table by the noble marquis opposite. There was, the House would recollect, an account ordered to be annually laid on the table, on or before the 25th of March, but it was not, by the act which rendered that account necessary, ordered that a summary or balance-sheet of the income and expenditure should accompany it. There was, however, in the last year's act, a clause which required such a balance-sheet with the January accounts, and an abstract of it was delivered in up to the 5th Jan. 1822. There was also an abstract of the nett receipt and expenditure of the country up to the 5th of Jan. 1821. He should prove that these accounts were not correct, as compared with each other; for instance the balance-sheet account of the noble marquis, presented on the 15th of Feb. last, differed from the regular annual finance accounts of the year 1821, and the chancellor of the exchequer's account differed from both, in many essential particulars. In the finance accounts of the United Kingdom for the year ending the 5th of Jan. 1821, the first page purported to be an account of the ordinary revenues and extraordinary resources constituting the public income of the United Kingdom of

Great Britain and Ireland, for the year ended the 5th of January, 1821. In the account of the customs, the amount was stated to be 9,862,462*l.* The same item for customs during the same period in the noble marquis's account was 9,837,275*l.*, making a difference between the accounts of 25,187*l.* These returns differed also from the chancellor of the exchequer's abstract of the same period of accounts which he had laid on the table of that House. The next head was the excise. The public accounts and the noble marquis's agreed in the nett amount of that branch, but in the abstract account for 1821, the nett income was set down at 27,929,832*l.*, while in the others it was 27,929,353*l.* The next head was stamps; there again the public accounts and the noble marquis's agreed; but in the abstract account there was a difference: one stated the amount at 6,562,258*l.*, the other at 6,154,447*l.* Under the head of post-office, there was a difference of 7,000*l.* between the noble marquis's and the public account. The next item was "taxes." In the public accounts the land and assessed taxes were, in the gross receipt, set down at 8,182,819*l.*; in the abstract they were 7,503,603*l.*, the former, he knew, included Ireland. Then followed (after some unimportant items) hackney-coaches, which, in the public accounts, were 26,374*l.* and in the account of the 15th of February 22,097*l.* Then hawkers and pedlars, in the public account, 29,360*l.*, in the other 28,930*l.* In the noble marquis's account, there was an item—seizures, proffers, fines, and forfeitures, 6,528*l.* 6*s.*, but in the public accounts there was no such item. In the 15th Feb. return, there would be found a sum of 30,728*l.* set down for arrears of property-tax, while in the other, it was 30,906*l.* In the imprest and other monies repaid, in the noble marquis's account, the sum was 181,022*l.*, and in the public accounts it was 159,053*l.* The surplus receipts on lottery, after the payment of prizes, was, in one account, set down at 175,154*l.*; while in the public accounts the sum was 156,154*l.* In the sums repaid in Ireland on account of advances from the consolidated fund under various acts for public improvements, the item in the account presented in February was 97,149*l.*; in the public accounts it was 61,598*l.* For old stores, in the noble marquis's account, credit was taken for 260,000*l.*; but he saw no coinciding amount of credit taken for them in the public accounts. The net income set down in the account presented on the 15th of February was 54,542,948*l.*; while in the public accounts it was 54,534,360*l.* The surplus of income over expenditure in the account of the 15th of February was 1,447,580*l.*; and in the chancellor of the exchequer's account it was 1,831,348*l.* These differences ought not to occur in accounts which were intended to record and elucidate the public expenditure of the country. Having got through one side of the mass of accounts before him, he should turn to a comparison of the items of the nett expenditure. On the noble marquis's account, the dividends, interest, and management of the public funded debt, exclusive of 17,058,773*l.* issued to the commissioners for the reduction of the national debt, were set down at 29,438,380*l.*; in the public accounts 29,403,391*l.* The sinking fund in the public accounts was 17,667,535*l.* 16*s.* 9¼*d.*: in the noble marquis's, 17,499,733*l.* 0*s.* 3*d.* The next head was one which he meant hereafter to submit to the attention of the House; namely, the interest upon exchequer bills; which ought, in his opinion, to be set forth in a different manner from the present. Parliament ought each year to know the real standing arrears. The interest on exchequer bills and Irish treasury bills, exclusive of 441,000*l.* for sinking fund, was set down in the noble marquis's account at 2,015,617*l.*; in the public accounts at 1,849,219*l.*; making a difference of about 166,397*l.*—This led him to the civil list, which in the public accounts was set down at 1,062,000*l.*, and in the noble marquis's at 1,071,758*l.* In the public accounts, the allowances for the support of the royal family, and for pensions upon the consolidated fund, amounted to 857,780*l.*, including 63,824*l.* for the support of his majesty's household. The noble lord, for pensions upon the consolidated fund, had only set down 359,600*l.* and 68,618*l.* for salaries and allowances, which showed, in comparing this part of the two accounts, a variance of not less than 325,000*l.* and upwards. There was also a difference of 11,000*l.* in the salaries accounts alone. The hon. gentleman then enumerated the following items from the accounts laid on the table by the noble marquis:—officers of courts of justice 61,979*l.*, differing above 3,000*l.* from the same item in the public accounts; expenses of the mint, 14,760*l.*;

bounties, 2,956*l.*; miscellaneous, 155,207*l.*, also showed a difference of not less than 69,618*l.* The whole charges on the consolidated fund, beginning with the item "courts of justice," and going down to "miscellaneous," was 690,698*l.* in the public accounts; and then followed permanent charges for Ireland, 381,503*l.*, no notice of which was taken in the noble marquis's accounts.—The next head to which he should refer was, the army, ordinary and extraordinary services. In the public accounts, the amount was 8,926,423*l.*; in the noble marquis's accounts the same head was 8,941,354*l.* Then followed the navy, which in the public accounts was set down at 6,387,799*l.*, and in the noble marquis's at 6,647,799*l.*; showing a variance of 260,060*l.*, which, being exactly the amount of the old stores, led him to the conclusion that the credit for that branch was taken there. In the ordnance public accounts the amount was 1,401,585*l.*; in the noble marquis's 1,092,299*l.* The miscellaneous services (at home and abroad) in the public accounts were 2,616,700*l.*; in the noble marquis's, 2,492,241*l.*, showing a difference of nearly 124,500*l.* In the noble marquis's account it was set forth, that there was a balance in the exchequer on the 5th Jan. 1820, of 7,489,745*l.* Now, in the public accounts the same item was stated at 13,423,938*l.*, making a difference of 5,934,192*l.* This variance required some explanation. Under the head of "Civil Government in Scotland," there was also a variance; some of the items which were noticed in one account were omitted in the other. It struck him as being remarkable, that, notwithstanding the important variances between so many of the items in these accounts, they should be made to agree in their main amounts; for the expenditure in one of the returns would be found to make a total of 53,340,000*l.*, while in the noble marquis's it was 53,095,377*l.*, showing a difference of about 244,700*l.* Large as these variances were, they looked trifling compared with those respecting the exchequer balances, appropriated and unappropriated. The appropriated balance in the exchequer on the 5th January, 1821, was set down at 7,347,952*l.* 2*s.* 5¼*d.* Why make out the account in such a form? Would it not be more candid to explain, that this was not a balance available for the service of the country. He begged to guard himself against any charge of throwing out imputations against the gentlemen opposite. He did not mean to charge a wilful mystification or obscuring of the public accounts; on the contrary, he was of opinion, that the error arose principally from a want of that clearness, simplicity, and perspicuity, which it was the object of his motion to recommend. He would now move, "That a select committee be appointed for the simplifying, and the better arrangement of the Public Accounts."

Mr. *Lushington* said, that the comparison on which the hon. gentleman had proceeded was entirely founded on a mistake. The account presented by the noble marquis on the 15th Feb., was not the same as the other account; and ought not to have been compared with it. The annual finance account purported to be the payments into the exchequer, while the other was the account of the nett income available for the public service. The hon. gentleman then went through the different items of the two accounts, in order to show, that they did not, and never were intended, to represent the same results. He did not mean to contend, that a committee might not be most usefully employed in looking into the manner of rendering the public accounts, and, indeed the chancellor of the exchequer had already given notice of his intention to move for such a committee. Perhaps a better plan might be devised; but the balance-sheet form was adopted at the suggestion of an hon. member (Mr. Ricardo), and was deemed to be the most compendious way of stating the accounts. He was anxious that a committee should be appointed to consider in what respects the items of the public expenditure or charge, as exhibited in the annual accounts for the year 1821, differed from the financial statement which had been made to the House on the 15th of February by his noble friend. He felt great satisfaction in saying, that that statement had been ascertained to be most correct in all its important bearings. He should propose, therefore, as an amendment to the motion of the hon. gentleman, "That a select committee be appointed to consider from what causes the payments into the exchequer, as exhibited in the accounts of the public income, ending 5th January, 1821, appears not to agree with the account of the nett public income of the United Kingdom, in the year ending 5th January, 1821, as

presented to this House on the 15th February, 1822."

Sir *J. Newport* thought it very absurd that the public accounts could not be made out in some more satisfactory way than they were at present, so as to show at once how the accounts stood, without needing the speech of a secretary for a whole hour, to explain how these differences were to be accounted for. He should vote for the committee of general inquiry, rather than that proposed by the amendment.

Captain *Maberly* said, that the motion of his hon. relative was for a committee, for the purpose of simplifying and better arranging the public accounts; while the amendment only went to the investigation of past errors.

Mr. *Ricardo* said, that the public accounts ought to be so stated, that every member, upon referring to them, might be able to make a balance-sheet from them, and see at once what was the actual revenue, and what the expenditure of the country.

Mr. *Hume* hoped his hon. friend would withdraw his motion, and that the chancellor of the exchequer would move for the appointment of his committee. That committee was of a much more general description than the one proposed by his hon. friend; and he thought it would be a pity to appoint another committee with a view to matters of comparatively little consequence.

The *Chancellor of the Exchequer* said, that as it had been conceded, that the differences in the accounts were reconcilable, he had no objection to the whole question being postponed, to afford an opportunity for the suggestion of a better plan. He would himself name the 18th of April for bringing the subject before the House.

Mr. *Calcraft* considered that his hon. friend had clearly established the case upon which he set out. He, therefore, thought it scarcely worth while to go into a committee for the mere purpose of elucidating mistakes.

Mr. *Maberly* said, that his object in bringing forward the motion was solely to devise a plan by which the public accounts might be rendered more simple, intelligent, and satisfactory. He would, however, after what had fallen, withdraw his motion.

The motion and also the amendment were then withdrawn.

Board of Control.]—Mr. *Creevey* addressed the House to the following effect:—I rise, Sir, for the purpose of calling the attention of the House to the present state of a great public office—I mean the Board of Control, for managing the affairs of India. Every body who is at all acquainted with the history of this country for the last forty years, must be aware of the great difference of opinion which always subsisted between Mr. Pitt and Mr. Fox, as to the management of the affairs of India. It is well known, that finally Mr. Pitt's system prevailed, and that it is to him we owe the present board of control. But I beg to call the attention of the House to the principles upon which that board was founded by Mr. Pitt. In the year 1784, a sort of agreement first took place between the India company and the country as to the government of India. It was then thought proper to introduce the existing system; and Mr. Pitt, in bringing the subject under the notice of parliament, said, that it was a great pleasure to him to be enabled to state that this establishment would be attended with no expense to the country; that several honourable gentlemen would gratuitously discharge the duty of commissioners; that there was to be no charge—no salaries—no patronage; and that though his own time was much occupied in the business of his office, he would gladly lend his assistance to the commissioners. Mr. Pitt, in every respect, fulfilled his promise; and this commission lasted, unaltered, nine years —that is to say, from 1784, when it was first formed, until 1793. As Mr. Pitt had pointed out, the constitution of this board, during nine years, was unaccompanied by salaries, either to himself, or to the other gentlemen who had taken upon themselves the functions of its commissioners. In 1793, when a new constitution of the board took place, a different compact or agreement was entered into between the East India company and the public. The bill which had been originally introduced by Mr. Pitt, fell into the hands of the late lord Melville, and it was on that occasion, Sir, that the first departure took place from this unpaid, romantic, gratuitous system. Lord Melville procured a clause to be inserted in this bill, by which the East India company were to pay annually 16,000*l.* to the board of control. Of this sum 5,000*l.* was to go to three commissioners, who

were to be appointed by the Crown. Lord Melville took 2,000*l.* a year himself, as chief commissioner and president of the board of control, and 1,500*l.* a year, each, was assigned to the other commissioners. This sum of 5,000*l.* was divided between the three commissioners, who were members of that House; the other 11,000*l.* being devoted to the payment of the remainder of the establishment. I should not omit to state, by the by, that before lord Melville left this board he made another alteration in Mr. Pitt's system; I mean, by taking from the hon. company a pension of some 800*l.* a year for one of his family, I believe. Well, Sir, this constitution of the board endured for nearly twenty years. In 1811, the present lord Melville became the president of the board of control; but his lordship thought that the provision which had been made by his father was too small; and, therefore, he brought in a bill enabling the company, in addition to the 16,000*l.* which they had agreed to pay under the act of 1793, to grant, yearly, 6,000*l.* for the same purpose; making altogether 22,000*l.* Now, out of this increased allowance, he took for himself 3,000*l.*, making his own salary, as president of the board of control, just 5,000*l.* a year, instead of 2,000*l.*, as it had been formerly. But this was not all; for before lord Melville left the board, he took also a present from the India company, in hard cash, of 20,000*l.* So much, Sir, for this board, which Mr. Pitt pledged himself, at its first institution, was to be accompanied by no salaries, by no emoluments, and by no patronage. And here I ought to state, in my own justification, that when lord Melville brought in that bill, I gave the strongest opposition to the clause by which he increased his own salary 3,000*l.** I did so, because I thought that his lordship, looking to all the sinecure allowances which himself or his father had already enjoyed, was not exactly the person who should have made this proposition to the House; and because I thought, that if 3,000*l.* a year more was necessary to be added to his income, it must be necessary to increase the incomes of the other commissioners; and that increase, I felt, was not necessary. I contended, therefore, but in vain, that the salary of the president ought not to be altered; conceiving, as I did, that the funds which, for this purpose had been, with the consent of parliament, placed at the disposal of the Crown, were already applied in paying the first three commissioners. In 1813, a period of two years only, after this further agreement to increase the allowance for the board by 6,000*l.*, a new addition was called for. This sum of 22,000*l.* devoted to the support of the board, was now raised to 26,000*l.*; and now, too, for the first time, further provision was made—not for the commissioners indeed, but for the allowances to be made for superannuations to the secretaries and other inferior persons belonging to the establishment.

Under these circumstances, then, the House must see that the board of control having begun, as I may say, gratuitously, has, step by step, gone on increasing in offices of emolument and patronage, until it has at length become the purchase of a particular family interest in this House. [Hear, hear!] Why, Sir, this is a fact which is notorious—it is proved—it is evident, and so evident that nobody can deny it. Here, then, is a board, which is the purchase, I repeat, of a family interest. I know very well that it may be said, "It is true there are ten commissioners, there is the president, the noble marquis opposite, the secretary to the commissioners, and the other commissioners; but seven of them are mere outside passengers. As for the three inside places, they are reserved for the family." [A laugh.] And, indeed, this may be truly said to be the most domestic board we have ever heard of; and yet, Sir, it is the board for the management of the affairs of India. One should not have much wondered, had these family gentlemen been scattered about, through the different departments of the public revenue. But no: this family must have a board to themselves, forsooth—no interlopers—no strangers—but all quite domestic. There they are, Mr. Speaker, a snug, comfortable family party. [A laugh.] Why, then, Sir, is this a board or is it not? Supposing that it were an object with any individual to be present while these three India commissioners should be amicably discussing a Mahratta war, or some great question of Indian policy, with all the vast machinery of the act before them; or supposing that one met in the street some individual who should say that the right hon. gentleman opposite (Mr. Canning) was going out to India. What would we not give to see

* See First Series, vol. 20, p. 324.

his instructions? It would be curious to learn in what manner they would communicate with him, to hear them advise him how he should manage with this or that Hindoo prince. [Hear.] But his instructions!—I wonder what would be demanded for the copyright? I should like to know what a bookseller would give for it. Certainly, nothing is to be found in the annals of literature that would equal the enormous price that might be obtained for it. But I know I shall be told, that there is no board, in fact, that it is only such in name; or, perhaps, that it is a nursery for our young statesmen: and really I am very much inclined to be of that opinion; and I will state the reason why. It happened, Sir, that once in my life, some few years ago, I was secretary to this board myself [A laugh, and cheering]. I protest I am quite at a loss to know what hon. gentlemen mean by this cheering; but as I have been secretary to the board, I did suppose that I might be allowed to know what the board was doing while I continued with them. At that time, Sir, the three commissioners appointed by the Crown were lord Minto, Mr. Thomas Grenville, and my right hon. friend (Mr. Tierney), who sits near me. I was, Sir, about thirteen months in the situation of secretary; and if I were asked, I should say my impression is, that no board had sat all the time I was there; and as I was secretary, I think I must have seen it if there was. I remember that the three commissioners (the president and the two others) sat in one room, and I sat in another; sometimes reading the newspapers; at others, looking out of my window. But, lest my thirteen months experience should not have sufficiently qualified me to speak on this subject, I remember inquiring one day of a gentleman connected with the department, and possessing great accuracy and means of information, whether, within the memory of man, there had ever been a board? He answered, with great good nature and simplicity—"Not within my recollection certainly. [A laugh]. The fact is, I believe that the president or first commissioner sometimes did come down to the office, in order to look over the dispatches that were to go to India. He had, in truth, the power of re-writing them altogether, if he chose; for it would be a folly to suppose that any other commissioner would come down to assist in correcting them. The other commissioners, I take it, scarcely ever came, except to receive their salaries. Sure I am, that all the time I was there, there was not business enough for the situation. [Hear! from Mr. Courtenay.] I am glad to see the hon. secretary to the board exert himself; for as he gets a higher salary than I did, he ought to do something more for it. I do assume, therefore, Sir, that two of these commissioners are perfectly useless. But let the House observe, that in the motion which I have this night to submit, I do not mean to go so far. I only ask the House to appoint a committee which shall examine into the question and report their opinion upon it. I care not from which side of the House that committee may be selected. The noble marquis, if he chooses, may appoint it himself; and, if I should be so fortunate as to carry the House with me, and have to nominate my own committee, the noble marquis shall be one member, the right hon. member who sits near him another, and any Grenville that pleases shall be a third. My present object is, to ascertain this single point. If I am right in what I have assumed as to the commissioners, why, Sir, should those two gentlemen be allowed to sit in this House? We all know that the statute of the 6th of Anne says, that no person holding any place or office which shall be created after the passing of that act, shall be capable of sitting in this House. Why here are no less than four places, the possessors of which have seats, in direct violation of the statute: they are the president, the two commissioners, and the secretary of this board. Surely it is a matter of some importance that an act is thus infringed, without there being any case of necessity made out. It is contended, however, that the services of these gentlemen are highly necessary. But, if they are necessary at the board of control (and I doubt it), are they so here? In this House, who ever hears of India now-a-days? After looking at the statute of Anne, are honourable gentlemen prepared to say, that these four persons shall continue to hold their seats? Will they say so, before it is proved to demonstration that the presence of these individuals in parliament is necessary? I shall now adduce, Sir, the authority of another act of parliament; namely, the 15th of George 2nd. Under this act, the consideration of a great number of offices is included; and among other things, it is said, that a secretary of state can have, in

the House but one under secretary of state. Now, the experience of every day, as I admit, proves the necessity of our having among us under secretaries. Nobody doubts the utility of the practice. There can be no question among reasonable men, as to the necessity of there being official persons for the purposes of information and inquiry. But, was there ever any principle imagined so contrary to common sense, as that while the secretary of state has but one under secretary in the House, this new board should have as many as four representatives?—There being always (let me add) a great deal to do in the office of a secretary of state, and very little to do in that of a commissioner for the affairs of India. Circumstances in this respect have altogether changed. They are not now, what they used to be when lord Melville was at the head of the board. Then there was an Indian budget and a regular exposition of the affairs of India. The case is altogether different in these times, and I believe I am correct in saying, that the right hon. gentleman opposite (Mr. Canning) never above once presented himself in his official character of president to the attention of the House, and that was on the occasion of his moving a vote of thanks to the marquis of Hastings for his military successes in India. Admitting, however, that a necessity could be shown for the presence of two of these commissioners in the House (and two I think too many), to say, that four of those persons ought to have seats is monstrous; and is a doctrine not only incompatible with common sense, but with the constitution of the country. The manner in which so flagrant, so palpable a departure from the enactments of the statute of Anne (as the very circumstance of these four individuals retaining their seats in the House implies), has been permitted to pass, almost without observation, is a signal proof of the decay of all interest amongst us about strictly constitutional questions. If you complain to a friend of the infraction of a statute you are reminded, that the East India company supplies us with such excellent tea!—that they are so rich—they must be expected to have influence. If you advert to the fact of there being four gentlemen in the House representing the board of control, you are told that the company pays them; that there is nothing to be dissatisfied with: that it is the company's affair. But, is the House to sit still and hear all this patiently. Are the East India company to become dealers in members of parliament? Where, Sir, is this influence to stop? Here is a board which began with no paid members, and has now four. These four gentlemen, I grant, are not paid by the country, but by the Company: so, too, is the remainder of the department. But, is there no danger in all this? 26,000*l.* laid out in members of parliament would make, I believe, a pretty decent addition to all the placemen that already sit in this House. Is it enough to say, that if the company can support these appointments, they may be kept up? The House, however, has been told to look at the matter as one of economy, as if the Company said, "We place 26,000*l.* at your disposal." Now, I would call upon the House to abolish these two commissioners, and to reply to the Company, "We are much obliged to you, and will pay 3,000*l.*, a part of the sum, and which, is not now required, into the Exchequer." By act of parliament, the country is to have a share of the company's profits. I would say to the company, then—still treating it as a matter of economy—"the less members you pay for, the more money the country will have to receive of you." In regard to these commissioners, the real question is, not as to who pays them, but as to their votes. Look, for instance, at the learned doctor, now on the other side (Dr. Phillimore); who cares by whom the salary of the learned doctor is paid, or what its amount is? The company pays him 1,500*l.* a year; but, by the single circumstance of his having crossed the floor, with his friends, the country has still to pay 1,500,000*l.* a year, the amount of the salt tax. But a very little while ago, the doctor was the champion for the repeal of the salt tax; he was the foremost in the field against it; he was the leader; nothing could stop him; he must and would repeal it forthwith. [Cries of "Order, order," accompanied by laughter.] If I am wrong, and gentlemen will suggest any other name by which it is proper that I should call the doctor, I will avail myself of it; but I know of no other name but the doctor. The learned civilian, then, I say was the champion for the repeal of the salt tax; but now, the company pays him 1,500*l.* a year, he gives them his valuable services cheap as dirt; but I am not going into the question whether those services have been

purchased at a cheap or dear rate. Suffice it to say, that he and his friends have lost the country at one slap, 1,500,000*l.* There they are, Sir; and there is the learned doctor; but where is the salt? It is still the most expensive article this country has to purchase; and if the doctor and his hon. friends had not become commissioners of the board of control, we might have gained the repeal of the salt tax. The difference made by their going over, was in fact equal to four votes; for they voted against us, and had formerly voted with us; and we, Sir, accordingly lost the question by four.

In submitting to the House these observations, I have not merely the authority of my own inquiries and conviction on the subject, but I have, Sir, the support of those who were once the good old country gentlemen of this House: and to show this, I have brought down with me a specimen of the opinions of a gentleman of this description, which seem to have been quite prophetic of the very circumstances that the House and the hon. gentlemen themselves are at this moment in. The individual to whom I allude was a country gentleman, who, during the latter part of the administration of sir Robert Walpole, had been very active in supporting Mr. Sandys, who was then in opposition, and engaged in endeavouring to pass a place bill, as it was then called. The period at length arrived when Mr. Sandys (whether paid by the Crown or by the East India company does not appear) suddenly went over to the party of the ministers. The country gentleman I speak of, upon the question of bringing in the same bill which Mr. Sandys had usually supported, finding himself deserted by the friend with whom he was accustomed to concur in his votes, naturally enough makes these observations, which I shall trouble the House by reading to them. I need not claim attention, for I am sure of the attention of the House when I say that the name of the Speaker was no other than Sir Watkin Williams Wynn. [Cries of hear! hear! from sir Watkin Williams Wynn.] I do not know, Sir, whether I have unintentionally given the hon. baronet offence; but I know this that no gentleman need be ashamed of the sentiments which I am about to read; for they are such as do the speaker infinite honour. The speech was delivered on the 3rd of Dec., 1742, on seconding the motion for leave to bring in a bill, and commences in these words:

"Sir, as this motion was last session agreed to, and as the bill itself was brought in, and in every step approved of, by this very House of Commons, I should with great confidence of success rise up to second this motion, if I did not from experience know, that gentlemen often change their sentiments with their situation, and that a gentleman, after he becomes a placeman, begins to entertain notions of the prerogatives of the Crown, and the liberties of the people, very different from those he entertained whilst he was a plain, honest country gentleman. If any thing like this should happen in the present debate, it may tend to disappoint the motion; but with all those who are neither placemen nor pensioners, I am sure it ought to be an argument in its favour; and I hope it will prevail with some gentlemen, who in former sessions opposed this motion, to alter their sentiments and their way of voting upon this occasion, when they have such a plain proof before their eyes, that if a place does not induce a man to vote against his honour and his conscience, it at least biasses his judgment, and makes him conclude that to be wrong which before he thought to be right.*"

If this is not precisely the case with the learned doctor and the salt tax, I know not how one case can be like another. He thinks that to be wrong now, which before he declared to be right, and advocates the very tax which he was all for repealing whilst he was a "plain, honest, country gentleman." But, sir Watkin goes on in the same prophetic vein, as if he knew actually what was to happen some day to his own flesh and blood: "I have, Sir, as great an opinion as any gentleman can, as any gentleman ought to have, of the honour and impartiality of those who are members of either House of Parliament; but it is arguing against common sense, common reason, and common experience, to pretend, that no member of this House will be biassed in his opinion, or influenced in his voting by 500*l.*, 1,000*l.*, or—" and then, Sir, in a spirit of prediction, so exact, that it is a still more astonishing effort of prophecy than even the foregoing part of his speech, the speaker names the precise, identical sum which was afterwards to fall to the lot of his own great grandson:—namely, 5,000*l.*—"500*l.*, 1,000*l.* or 5,000*l.*" He goes on, Sir, in these words: "It has, in all countries and in all ages,

* See New Parl. Hist. vol. 12, p. 873.

been held as an established maxim, that no man ought to be allowed to sit as judge, or even as a juryman, in any case where he is to get or lose by the event of the suit; and as we sit as judges, almost in every case that can come before us, between the people and their sovereign, or those employed by him in the executive part of our government, surely no man ought to be allowed to sit here who is to get or lose the whole, or the chief part of his substance, by the judgment he passes upon any affair depending in this House." This is the language, Sir, which, eighty years ago, was held by a country gentleman in this House—a county member—upon a subject nearly the same as that on which I am now speaking. The only difference between us is, that the worthy baronet was then contending for a general reduction of placemen in this House; while I am contending for a committee to ascertain the utility or inutility of two only. My object is merely that the House shall ascertain for the present what are the duties that these gentlemen have to perform; and I cannot imagine that they will refuse the committee. Having now done with the great men of this board, I will speak of another member connected with it, who is a little one. I mean, the secretary. And this I can say, that if that hon. gentleman has but very little to do with the arrangement of the affairs of India, he has manifested a most exemplary attention to his own. Upon what grounds he can have had his salary raised three different times, until it has reached 1,500*l.*, I cannot imagine. When I was attached to the board (and I do not, Mr. Speaker, pretend to be better or more conscientious than my neighbours; though I never heard that any gentleman complained of me) I asked for no more salary than I found; thinking, as I did, that no public servant was ever better paid, considering how little I had to do. It is, too, not a little singular, that the very act which secures the present secretary his increased salary, lessens the duties of his office; for by its provisions, all those duties, the signing and sealing dispatches and so forth, he is enabled to perform by deputy. I think, Sir, I have made out an irresistible case for inquiry; and shall conclude with moving, "That it be referred to a Select Committee to examine into the different Duties annexed to the Office of the Commissioners for managing the Affairs of India, and by whom the same are performed; and to report their Observations thereupon to this House."

Mr. *Thomas Courtenay* said, that he was not induced to offer himself thus early in the debate, in consequence of the personal reference that had been made to him by the hon. gentleman. He would leave it to those who were the authors of the acts with regard to himself, which were so odious to that hon. gentleman, to answer him on that subject. His immediate object in rising was, to satisfy the House, that a direct negative ought to be given to the motion of the hon. gentleman. As to himself, he would only declare upon his honour, that from what he knew of the duties of the office he held, and from the manner in which he discharged them (and he regarded it as a moral offence to take a salary of which he was not deserving), that he looked back with infinitely more satisfaction to the period he had occupied the office of secretary to the board of control, than the hon. gentleman could do, to the time during which he held it. [Hear hear!] From the moment the hon. gentleman gave an indefinite notice of a motion to call the attention of the House to that board he (Mr. Courtenay) must own that he looked with some anxiety, and not a little curiosity, to the mode the hon. gentleman would adopt in bringing the subject forward. Knowing the relation in which the hon. gentleman formerly stood to the board, he indulged at first in the expectation, that he would, perhaps, come forward and state that the secretaryship, while he held it, was an office of very great trust; that all the individuals connected with the board performed their duty; that they were, therefore, intitled to their salaries; but that the business of the secretary, as well as of the commissioners, was much better performed then than at present; and that these offices had now become little better than sinecure situations. Knowing, however, as he did, how the facts of the case stood, he felt that his expectation was too good to be true. He then thought that, perhaps, the hon. gentleman would come to the House, in a modest manner, with head abased and countenance suffused with blushes, and acknowledge that he had himself formerly been guilty of holding a sinecure [loud cheers, and laughter], as well as certain considerable persons who, during the time he had been in office, acted as presidents of the board. He had imagined that the hon. gentleman would have

stood forth on the present occasion, voluntarily devoting himself to censure, for receiving a salary without performing duty, and that he would involve in one common ruin with himself, the respectable names of lord Minto, Mr. Thomas Grenville, and also that of the right hon. member for Knaresborough (Mr. Tierney), the last president under whom the hon. gentleman had served. But he had pursued a more ingenious course. He had not said that the office of president was a sinecure. The fact was, he did not dare to joke with the right hon. gentleman who was a pretty severe practitioner in that art; he certainly knew, that the right hon. gentleman was not prepared to admit, that the office of president was a sinecure while he held it, as the hon. gentleman seems to have admitted was the case, with regard to his own office. [Hear, hear.] But though the hon. gentleman spared the right hon. gentleman (Mr. Tierney), as well as the other presidents who filled this situation, while he was secretary, he scrupled not to denounce the two paid commissioners of that period, as holding sinecures; the one Mr. Hiley Addington, not now living; the other a noble lord (Morpeth), who, owing to a proceeding which afforded a good specimen of the taste of the whigs, was not now a member of the House, and with respect to whom he would say, that there was not, in the whole circle of public men, one less likely to fail in performing his duty faithfully to his country. [Hear, hear.] In one part of his speech, indeed, the hon. gentleman had held up that noble lord, as being the last commissioner who did any thing.

Mr. *Creevey*.—"I said in parliament."

Mr. *Courtenay*.—Was it, he asked, fair to bring forward public men as useless functionaries of the state, because they did little in parliament, without considering the duties they performed in their offices? And could any thing be done in parliament by a commissioner for the affairs of India, without a previous attention to the subject, in his office? As to the office he (Mr. Creevey) had held, he had made but little allusion to it; no more than he could help; and dropping all official manner, and assuming the tone of an independent country gentleman, he appeared on this occasion before the House, to call for the abolition of one of the commissionerships, as a useless and unnecessary office, and for a parliamentary inquiry to establish the fact; a proceeding which the House well knew they ought never to support, unless such a strong case were made out, that the committee were not unlikely to come to a decision in favour of the view taken of the question by the person who proposed it.—Mr. Courtenay next proceeded to show, as he was confident he could, that there was no ground for granting the motion of the hon. gentleman; and this he would shew, by the information he should afford the House respecting the nature and importance of the duties of the India board, which a service of nearly ten years in the office he then held, rendered him competent to afford. The hon. gentleman had truly said, that on the institution of this board in 1784, the members of it did not receive salaries; but it was also true, that they received salaries from other offices. One of the situations held by the commissioners, not to mention the others which had been held by them, was that of joint paymaster-general. It was perfectly true, that that system of remunerating the president and commissioners by salaries attached to their offices, first commenced under the act of 1793, and these salaries had continued from that time at the same amount excepting the president's. The hon. gentleman was, however, altogether wrong in his statement, that the board was instituted in consequence of a bargain made with the company by Mr. Pitt in 1784; for the charter was renewed in 1781, and the board afterwards established was forced upon the company by the act of 1784. This was a circumstance which, though not very material, he thought it proper to mention, as shewing that the hon. gentleman had, in the commencement of his speech, set out in error. He would now explain to the House the nature and extent of the duties which the board of commissioners had to perform; and in doing so, he would not trespass any longer on the attention of the House than was necessary. He need not point out the immense extent of the empire in India, which was especially placed under the care of this board: but he must observe, that if the House measured the importance of the duties entrusted to it, merely with reference to the magnitude of those territorial possessions, by a comparison with the extent of this kingdom, or of any other state with which they were acquainted, they would fall into a great mistake, because there was in the British possessions in India, from the very nature of the system by which its public affairs

was administered, a far greater quantity of business to be transacted than was known to any other empire. [Hear.] It gave infinitely more trouble than the affairs of any other government which are managed at a distance. There was not in that country, an extensive body of voluntary functionaries to conduct its police, to administer justice, and to superintend the collection of the public revenue on whom so much reliance was placed in other countries, and whose conduct seldom came before the government, unless some grievance was complained of. The whole details of our governments in India; every part of its transactions, extending to all the acts and proceedings of the local offices, are in the first instance, examined by the different public boards, at the different presidencies, and afterwards considered by the governments. Every single act of the judges, the magistrates, and the collectors of the revenue, became a matter of discussion at the presidencies. All that has passed on the various subjects thus brought before the governing authorities in India, are in most instances communicated at length to the court of directors, who frame their instructions thereon, which, with all the necessary documents are subsequently brought to the view of the India board, whose duty it is to exercise a constant, systematic, and minute control, in regard to all questions thus brought under their consideration. The hon. member said, he knew of no such thing; but he (Mr. Courtenay) would maintain, that this duty was constantly, systematically, and minutely performed by the board. Let not the hon. gentleman, or the right hon. member for Knaresborough (Mr. Tierney), suppose he was imputing blame to him, or to any of those by whom so minute a control had not been exercised. The fact was, that the board had taken a great while to grow up to its present importance; and how it had acquired that importance, he should presently explain. He declared to God, that if he were giving evidence in a court of justice, he could say no more than he was then stating. Considering the short period those gentlemen had been in office, any censure could not be attached to them, on account of the board not having been during their time, in so efficient a state as it had since become: for it required at least three or four years to obtain that knowledge of the general business of the office, to initiate a person in the duties of it, and to render him at all effective. [Hear.] Nor had he any hesitation in stating that it was not till the year 1807, that the system of control was carried into effect, with any thing like the care and minuteness with which it is now exercised; that until that year, it had not even began to assume any shape or form, more especially in those great and difficult branches of Indian detail relating to the internal administration of the country. The right hon. member for Knaresborough (Mr. Tierney), in a discussion which occurred some years ago, remarked, that "it was easy for any officer to make business, and bring his department into notice, if he pleased." He might, perhaps, think that this was the case in the board of control. [Mr. Tierney said across the table, "I was speaking of the treasurer of the navy's department."] Mr. Courtenay would only say that if any such idea had been formed by the right hon. gentleman with respect to the India control department, he should have been at issue with him. He could affirm, that there had been no desire in that quarter, to create unnecessary work, and that the increase of duties had arisen from very different causes. He also trusted that no one would impute any such unworthy motive to those who had the management of affairs in the India board, as a disposition to make a shew of details, in order to give their offices a consequence they did not in reality possess, for the purpose of retaining their salaries. He would observe, that between the years 1784 and 1793, a great and important plan had been undertaken for the administration of the land revenues in Bengal, which was technically called "the permanent settlement:" in the origination of which, the India board was a chief party, and which was carried into effect by lord Cornwallis, in the year 1793. A new system for the administration of justice in the provinces was also established, at that period; and it was certainly a long time after the adoption of both these systems, that any close attention was given by the court of directors, or the board of control, to the revenue and judicial affairs of India. The board remained entirely ignorant of the operation of the measure which had been carried into execution, in both those great departments. They knew not whether those measures were acceptable or not to the natives; whether they had accomplished the objects they had in view, of raising a

land revenue, without inconvenience or oppression to the contributors, and of affording to the great body of the population a better, a cheaper, a more expeditious and a purer administration of justice, than before. But in the year 1807 a great change in this respect, took place in the efficiency of the board of commissioners, and in the exercise of their control, also, over the other branches of India concerns, which arose out of a circumstance, apparently trifling in itself, viz. an arrangement adopted for conducting the business of the office, the merits of which were attributable to the present lord Melville, then at the head of the board, and still more, perhaps, to the hon. member for Queenborough (Mr. Holford), who was then the secretary. The business of the office was, by this arrangement, divided into different departments, corresponding with the departments of the Indian governments; and since that time, he could say that every paragraph of the dispatches from India, as well as those transmitted thither, had been subjected to the most careful, and he might in some respects say, enlightened investigation. When this arrangement was formed, the revenue and judicial affairs of India, complicated and difficult as they are, were subjects, almost new to the board. They were new also to the country, as well as to the board; and it had been taken for granted, that what had been done by Mr. Pitt and lord Cornwallis, in regard to the internal government of India, was perfectly right, and needed no revision. He could not, he said, come to this matter, without pausing to pay a tribute to the great merit of an individual. He had seen a smile passing over the countenances of some gentlemen, when he had ascribed, just now, particular merit to a former secretary, (Mr. Holford) for the share he had in introducing the arrangement he had described. The merit which he should now speak of, was that of a clerk; and he should be the most unjust and ungrateful of men, if he were to pass on, without expressing his sense of obligation due to a gentleman known to the members of that House; he meant Mr. Cumming (hear, hear); who, under the arrangement of 1807, was appointed to the head of the revenue and judicial departments. To him, by his extraordinary labours and intelligence, belonged the merit of having been the first person who called the attention of the board to the practical operation of existing systems in those great departments of the Indian governments; and the effect of his representations, was to bring into the office a load of important business, which could no more be compared with that which existed when the right hon. gentleman (Mr. Tierney) was in office, than the business of the county of Rutland, to the whole business of Great Britain. The course now pursued in regard to the revenue and judicial business of the office was, that every thing which came up from the India House in these departments, went through the examination of the very meritorious individual he had named. The proposed dispatches in the other departments were also brought under the inspection of other persons, of no ordinary talents, intelligence and industry. However worthy of attention the remarks and observations of these gentlemen might be, still it was not to be supposed that their opinions were to be implicitly adopted, or without due consideration in other quarters. Caution on this point, was the more necessary, when it is borne in mind that they might go to set aside the views and determinations of the twenty-four directors, many of whom possessed peculiar knowledge on Indian subjects, and the means of well qualifying them to judge on all matters brought under their attention. It was not, therefore, to be imagined that the decisions of such men would be thrown by, on the mere shewing of any clerk in the India board office, however well informed. Without meaning to assume any particular merit to himself, he was bound to declare that he had paid as much attention to his duty, as could be expected of him, and sometimes to the injury of his health; but he must confess his utter incapacity to go through the whole business of the office, before it passed to the president; to take an elaborate view of all the various subjects that were from time to time brought forward from the different departments, and to give to each that attention that could bring him to submit a fixed opinion to the president. It was here, then, that the duties of the other commissioners begun; and he would venture to affirm that the assistance they had afforded was very valuable and important. To go no further back than the short month which had elapsed since the appointment of the present commissioners, several cases of peculiar importance, cases of malversation, involving con-

siderations of great interest, and admitting of no delay, had been disposed of. With respect to the late commissioners, very material aid and service had been derived from the member for Rochester (lord Binning), who had with the best effect, devoted his particular attention to the concerns of the judicial and revenue departments, having mastered the extensive and arduous business of them, to a degree which did that noble lord high credit. The right hon. member for Christchurch, (Mr. Sturges Bourne) was the other paid commissioner, whose judicial habits, and whose clear and upright understanding had been of the greatest use and importance, more especially on legal questions, on which it was necessary to go through large bodies of evidence, and to consider, not merely the justice of the sentence pronounced, but the purity of the Courts in which they were pronounced. He was not speaking at random; he was referring to actual cases. All this was in the ordinary administration of the affairs of India; and ought to have been done from the early establishment of the board, though that this was not done was to be attributed more to accident, than to anything else. But in addition to the business that has been described, a very considerable increase had been thrown on the board by the charter of 1813. By that act, the duty was cast upon the board of protecting and watching over the interests of the private trader. The confusion of the two characters of sovereign and merchant in the company, which had long prevailed, exposed the company, sometimes unjustly, and sometimes justly, to much obloquy; but by that charter this inconvenience was removed, and no case of collusion between the company and the private traders had occurred. This alteration in the system had, however, occasioned much new business in the India office, upon which it rested to answer applications from persons desirous of going out to India; to inquire into their views in that country, and to decide on the propriety of granting them permission to proceed to it. Under this head, questions also quite new had arisen, as to demands for such permission. This branch of business alone occupied considerable attention. The business of the board had been also in another respect, augmented by the Charter act of 1813: he referred to the ecclesiastical establishment provided for by that act. He (Mr. Courtenay) dedicated as much time and attention as it was in his power to do, to the business of the office, even as he had said, to the injury of his health; but he must repeat, he found it quite impossible to read over and consider all the mass of papers, in different departments, that were brought before him. It was, however, absolutely necessary, before the subjects were submitted to the president, that the material parts of the papers should be pointed out to him by proper persons. To say that one, two or three commissioners should be reduced, and that the business of the board could be then got through in a satisfactory manner, was to say what it was impracticable could be. If there were six commissioners to-morrow, instead of three, he would undertake to give them as much business as would afford full employment to each of them, for a fortnight. [A laugh.] On the other hand, if there should be found one commissioner who was not idle, but worked day and night; was never hungry, nor thirsty, nor tired, nor sleepy; he might, no doubt, get through the work to be done, in half the ordinary time, and might do as well as two; but then he ought to have a double salary for such exertions [Hear, hear!]. The papers that came before the board were of a very different description from mere dispatches: they were of the most voluminous kind. "Why, that, sir," (said Mr. Courtenay, pointing to a huge bundle of papers on the table of the House) "would be but a mere abridgment that would be given to a junior clerk to examine." He had been told by the hon. gentleman that no boards were held by the commissioners; admitting, however, as he did, that none were held in his time, but observing that it was the practice in other departments of government to hold boards for the general transaction of business. Now his (Mr. Courtenay's) lungs, which were nearly worn out already by his exertions, would not allow of his reading a tythe of the papers in the office necessary to be read at the board, according to this mode of doing business. He could as easily read all those voluminous documents aloud, as repeat them by heart. All the board can do is to meet and distribute the business among themselves, previous to the final disposal of it by the president. While his right hon. friend (Mr. Canning), was president, who was not friendly to mere form, he seldom went into the board-room. It was not the custom for the president to

sit in state at one end of a table, with the other two commissioners on each side of him, and the secretary at the other end, with a pen behind his ear, either reading over masses of paper, or waiting to take minutes of their proceedings. But it did not follow, that because these forms were dispensed with, that the business of the board was less efficiently carried on in the mode he had described; and with a constant communication existing between the president, the commissioners, and the secretary, on all matters that required their attention. The commissioners did not adopt all the forms of a board; but they left none of their duties unperformed: nor could they possibly be performed efficiently in that way [Hear, hear!]. On the parliamentary point respecting the propriety of the secretary and the commissioners holding seats in that House, it formed a distinct question from that now under discussion; it was not his intention, therefore, now to say any thing on that subject. It had, he remembered, been noticed last year by the hon. member for Shrewsbury (Mr. G. Bennet), who had given notice that he should again bring it on; and whenever it was specifically introduced to the House, he (Mr. Courtenay) would be ready to meet the arguments that might be advanced by the hon. member (Mr. G. Bennet), and which had been adduced in this night's discussion by the mover of the question. On a former occasion that hon. gentleman (Mr. Bennet), with less than his usual courtesy, had observed that he (Mr. Courtenay) and his noble friend (lord Binning) were of no use in that House, or elsewhere [Hear, hear!]. The hon. member (Mr. Creevey) who had introduced the motion now before the House, had asked "of what use were those persons connected with the board of control, in parliament?" His answer was, that they were there, to answer all inquiries respecting the department to which they belonged, and to attend to the progress of all bills in that House connected with it. But did not the hon. gentleman know, that there had been introduced into the House a variety of bills relative to India since the passing of the charter, several of which he had drawn up himself? And both he and his noble friend (lord Binning) had attended in their places, to give explanations and answer objections to those bills: but none were made to them. But who was to blame for this, or was there any blame? The presumption was, that these bills were proper bills and correctly framed; and it was worthy of remark, that the Charter act of 1813, though it contained two hundred clauses, no explanatory bill had been brought in respecting it, except on one very immaterial point. If, on the contrary, they had brought in such a bungling bill as required continual amendment, the hon. gentleman would then have said, "Oh, we must have commissioners, for there is now much India business in parliament to attend to." But was it not, in the first instance, better to prevent the necessity of constantly calling the attention of parliament to India matters, by having the duties connected with the board of commissioners properly and carefully executed? With regard to the discontinuance of the India budget, he need hardly observe what a dull and disagreeable subject it had been considered in that House; and he feared would be so considered, unless, indeed, it were introduced by a humorous speech, like that they had this evening heard from the hon. member (Mr. Creevey). How few gentlemen had ever sat out a discussion on the India budget! The subject of India, the hon. member well knew was a tiresome one in that House; one to which members paid little regard. It was on this account, that the practice of making budget speeches had been of late years discontinued. But the papers on which the budgets had been founded were still laid on the table of the House, and printed; and if any information were required from members respecting those papers, there were those present always, ready to afford it; but he thought that the time and attention of the House of Commons was quite enough occupied, without throwing away a day in the discussion of a topic that would be sure to drive gentlemen away from it. The hon. member (Mr. Courtenay) concluded his speech by saying that he trusted he had established sufficient grounds, to induce the House to negative the motion of the hon. member (Mr. Creevey), and to convince members that the two commissioners of the board were essentially necessary for carrying into execution the objects for which it had been instituted. As a proof of this necessity, he might mention, that at that moment, there were most important measures growing out of the late Mahratta war which were under the consideration of the board; the papers respecting which formed such a voluminous and in-

tricate collection of matter, that if the assistance of two commissioners were to be taken away, it would be impracticable for his right hon. friend (Mr. Wynn) to get through the business of his office. He (Mr. Courtenay) also expected that within the next six months, dispatches would probably be submitted to the board, for transmission to India, on some revenue and judicial questions of very special importance, most intimately affecting the welfare and prosperity of our affairs in a considerable portion of the Bengal provinces. He thought he had shown sufficient grounds to the House for rejecting the motion, and he really did not expect that the hon. gentleman, fifteen years after quitting the situation in which he had acquired the ignorance upon which he founded his motion [a laugh], would have brought forward such a motion as the present. He should meet it by a direct negative [Hear, hear!].

Mr. *Tierney* said, he felt no wish to conceal any opinion he entertained on this subject, or to withhold from the House any information he could give, with respect to the office in question. He was as ignorant of the nature of the motion, until within the last two or three hours, as the hon. secretary himself, and therefore he was as much taken by surprise, and had as little time to prepare himself as that hon. gentleman. But, however taken by surprise, or however unprepared, he would detail every thing which happened while he was in that office, with as strict an attention to truth as possible. The present motion seemed to embrace two objects; one, to inquire how far it was necessary to continue the number of members now in the board of control; the other, assuming the fact that so many ought to remain, to consider whether it was proper that the same number should continue to have seats in parliament? These appeared to him to be the two objects of the motion; and he thought they were extremely fair ones. As to the importance of the board of control, no person respected that institution more than he did, or was better acquainted with the weight of business that pressed upon it. But the question for the House was, whether those duties required three commissioners, or could be performed by a more limited number? And, so far as his experience went in 1807, he declared upon his honour, that he did not think three commissioners were necessary; for during the period to which he alluded, no board, in the strict sense of the word, was held. It was true, that he was in constant communication with the other two commissioners; they compared notes together, and the result was exactly the same to the public as if a board had met [Hear!]. With respect to his noble friend (lord Morpeth) and his hon. friend who was now unfortunately no more (Mr. H. Addington), he must say, that from them he received most material assistance. But though he received valuable assistance from lord Morpeth, and though when he called for the aid of his hon. friend, it was kindly and promptly rendered in the judicial department, still the mass of business and the weight of responsibility rested on himself. And he felt that that man would be unworthy of fulfilling such a situation, if he shrank from the heavy responsibility which was attached to it. He thought so at the time, and he held the same opinion now. Let any paper be shown to him, bearing his signature, and no matter by what other gentleman it was signed, he held himself responsible for it. But the hon. secretary had argued, that the labour was greater now than formerly—that the dispatches from India were not, some years ago, liable to the same minute investigation which they now experienced. All he could say was, that he knew of no dispatches—that he knew of no department of Indian affairs—that did not receive due and proper attention. And he would take leave to say, that without such able and intelligent clerks as the board possessed, it would have been impossible for three, or even ten commissioners, to have gone through the business. The House were, however, led into error, when they were told that it was the duty of the secretary and the commissioners to read all the papers. How stood the fact? Before a statement came up, it was sifted at the India House by some of the most intelligent men that could be found in any situation; when it was there sifted, and the points at issue marked out, it underwent another revision by persons of equal or greater capacity at the board of control; so that before it was submitted to the president, a great part of the labour was removed, if he had confidence in the persons through whose hands it had gone. And he believed, that nothing like neglect or foul play could be attributed to the clerks of the India House or of the board of control. Every thing in dis-

pute was fairly and distinctly marked, and brought, in the clearest manner, under the observation of the president. In his opinion, the hon. secretary must have made a mistake, when he said that two or three years were necessary for initiation into the duties of the board. It was a most extraordinary position. If it were correct, then, in all changes of the board, one person, who had served his apprenticeship, should certainly be left to instruct the new comers. But here, three gentlemen were sent to the right about, and three others were placed in their situations, who, according to the evidence of the hon. secretary, could know nothing of the duties they were selected to perform. When he (Mr. T.) entered the office, he was in some degree qualified for it; for he had previously taken a fancy—gentlemen would think it rather a curious one—to go through a series of Indian subjects. He, therefore, came to the study of his duties with some degree of advantage. But he must declare, that he never did undertake, and perhaps never would, any office more arduous in appearance than the board of control. He acknowledged the assistance he received from two of the commissioners; but still he thought that three were unnecessary. He would go further, and say, that not only was there time for the president to spare, but, in his opinion, an amendment might very properly be offered to the present motion, for the purpose of consolidating with this board the duties of the third secretary of state, and the business of the colonial department. This was his opinion, and, by effecting such a consolidation, a considerable sum would be saved to the public. It would be very proper, by such an amendment as that to which he had adverted, to inquire, not only whether there was a necessity for so many commissioners, who all sat in parliament, but whether a consolidation of the department of the colonies, under lord Bathurst, might not be superadded to the board of control, with the assistance of one secretary from that department. That office was considered necessary during a period of war. War had ceased; but, to enable the individual to go on with his functions, he was called secretary for the colonial department. The business of the country could be entirely done by two secretaries of state. Some of the new colonies ought, in point of reason, to be added to the duties of the secretary for the foreign department. Malta and the Ionian islands were clearly of that description. They came as much within the scope of our foreign policy, as any point of Europe: and the same observations would apply to Malta. With respect to New South Wales, that would properly come under the jurisdiction of the home department. There then remained only a few new colonies, including those connected with India, the business of which might be performed by the board of control. The saving, if this suggestion were adopted, would be nearly, if not quite, 10,000*l.* a-year. If the arrangement were carried into effect, he had no doubt that the whole business, both of India and the colonies, would proceed as satisfactorily as it did at this present moment. In all this, he might, however, be perfectly wrong; and therefore he would vote for the proposition of his hon. friend, because he had no information of the business transacted by the board since 1807, except what the hon. secretary had communicated. He wished to learn how the matter really stood; and he should like to superadd this amendment, to show how anxious they were to prevent improper persons from sitting in parliament, and to prove that they had economy in view, and were friendly to a reduction of expense on the whole scale of government. He knew it would be said, "If you take any thing from the board of control, the benefit would come round only in a circuitous way, so far as the public were concerned." But, the company were bound to give 26,000*l.* a-year for the management of the affairs of India; and, if that management were effected for less, they could not object to the surplus being made applicable to the public service. He stated this on his deliberate conscientious opinion, and as a scheme which might be carried into effect with great advantage. He would repeat, that three persons were not necessary to manage the affairs of India, supposing them conversant with those affairs; but when they saw three gentlemen thrust into the office, who knew nothing of its details, it could not be seriously asserted that the service required any such number. He meant not to speak disrespectfully of those officers, but he wished to know what disadvantage it would be to the service, if, instead of three, only one of them was retained, since none of them were acquainted with the duties of the

office. He had forgotten, however, that there was an ecclesiastical department, and perhaps the learned doctor (Phillimore) might know something of that. In his time, certainly, there was no such department. The business might, he conceived, be effectually conducted by a president, vice-president, and the usual clerks. He desired not to be understood to undervalue the labours of the board of control. No department in the state required more accurate information, and more steady application. Upon this point there could be no two views in that House. Whether the duties of the board required now more or less application than when he had been connected with it, he knew not; but this he knew, that none could more sedulously attend to its business than he had done. He had never been one day absent during the time that he had been president. He had bestowed all the application in his power to the government and to the finances of India. He could not pretend to say, that he had achieved much good. It had not been possible to have done much good in the short time that he was in office. All he would say was, that during that short time he had learnt sufficient knowledge of the business to justify him now in saying, that every one of the commissioners might be spared if the business should be conducted as at present; and that in the other way which he had stated, 10,000*l*. a-year might be saved to the public.

Mr. *Canning* said, he rose under the same necessity that had called up the right hon. gentleman opposite, allusion having been made by the hon. mover to him (Mr. C.) and to his conduct of that office which he had recently had the honour of filling for five years. He felt it his duty to say of the right hon. gentleman (Mr. Tierney), that at no time, so far as his retrospect carried him back, was the office of president of the board of control more efficiently discharged, than it had been by the right hon. gentleman. In many points referred to they both concurred, and with respect to some in which they disagreed, the change of circumstances, the progress of time, and the increase of business in the office, would, he believed, account satisfactorily for the difference. What he should have to state on the subject of the motion would be, like what the right hon. gentleman had stated, more in the shape of testimony than of argument. But before he proceeded to make that statement, and therein to lay the grounds of his objection to the motion of the hon. gentleman, he would beg leave to call the attention of the House to the precise nature of it, and to the circumstances under which it was brought before the House. The motion, then, had for its object the reform of a great and important department of the public service, and it turned out that one hon. member who made the motion had been secretary, and another right hon. gentleman who supported it the presiding minister, in that department; and that, both from their own respective statements and from the notoriety of the facts, it was established that one of them had been a most efficient, the other a most inefficient officer of the board. Such being the state of the case, if the right hon. gentleman, the former president of the board of control, had brought forward a motion to ascertain the manner in which the business of the office had been carried on, in order to see what part of the duty had been satisfactorily performed, and where there had been a failure, and had concluded by moving for a committee to inquire into the conduct of an idle secretary of that board—had such been the character of the motion, he could have understood the motives which brought the subject before the House. But as the only data yet offered in support of a proposition for reform, was the assertion, or rather the just boast of efficiency on the part of the right hon. gentleman who had been president, and that efficiency aided by material assistance from the commissioners, but altogether unaided by any help whatever from the secretary, it was most extraordinary that this idle secretary should be the identical person to bring forward a motion for reform. This was reform with a vengeance! But it was a picture—and not an unfaithful picture—of the principles on which reform was clamoured for upon a thousand other occasions; and if they could trace the greater part of those clamours to their source, they would find, on inquiry, in nine instances out of ten,—*Habetis confitentem reum*—that the evil existed where the clamour arose [Hear.] It was most extraordinary, that any person could be so completely blinded by his own fancies, or by his own pamphlets, as to come forward with such a motion under such circumstances, announcing his own utter

inefficiency.—"*Me, me, adsum qui non feci,*" or rather "*qui nil feci*"—I am the man who did nothing; and I now call on you to inquire, why those who were associated with me, and who were diligent and laborious, failed to follow my example. I call on you to demand of them why they should thus break in upon the practice which my conduct went to establish, and disturb by their troublesome activity, the stillness of my stagnation [Cheers.] The hon. gentleman stated himself to have been well paid. He had received 1,500*l.* per annum, yet all that he had to do, at least all that he had done, was, to amuse himself with the newspapers. The president, indeed, was engaged in the *penetralia* of his inner cabinet, in forming plans for the good government of India, but the hon. gentleman had told them, "I washed my hands of every thing of this sort; I did not occupy myself in any such a way. I had only to repose myself in my office, and to look from the window into the park, to amuse myself with what might be passing there; and now I come to revenge myself on those whose industry formed so strong a contrast to my inactivity, by calling on the House to inquire into the manner in which those duties were performed, no part of which certainly was performed by me." Now, if the authority of the individual bringing forward a motion was to pass for any thing in that House, it was a little too much that they should be called upon to go into an inquiry, when no earthly grounds were laid for that inquiry, but the confessed fault of the party calling for it—when the grounds of the motion which he made were really and substantially laid in the inculpation of no man living except himself.

He (Mr. C.) did not wish to overstate the importance of that department of the state which the hon. gentleman had attempted to run down. The right hon. gentleman opposite, who, during the short period of his presidency, had applied himself so closely and diligently to the duties of his office, had stated them to be duties of some importance. He, however, hoped that that right hon. gentleman would not be offended with him, when he assured the House, that the actual business of the board, in point of extent, delicacy, and difficulty, compared with what it was at the period, when the right hon. gentleman presided over it, partly from circumstances arising out of the renewal of the company's charter, partly from the political and military changes which had since taken place in India, had materially increased. The circumstances to which he had alluded, would, of themselves, in a great degree, account for the burthen of affairs now thrown upon the board of control, being much heavier than formerly. He could not of course speak as to the former period from his own knowledge; but, from the information he had obtained from others, he could state, that if they compared the present state of the business at the India house and the board of control, with what it was in 1793, it would be found to have increased nearly a hundred fold. This he stated without fear of contradiction; and, what was still more to the purpose, he could assure the House, that it had increased, within the last five or six years, in the ratio of 20 per cent. If, then, two commissioners were found necessary in 1807, when the hon. mover, and his right hon. colleague were in office, it was surely not too much to say, that no reduction in these commissioners ought to take place at present.

During the debates on Mr. Fox's India bill, no question had been more argued, than whether the control of the Indian government should be vested in one person, or in a board of commissioners. Mr. Pitt and Mr. Fox, though they had widely differed in many respects, perfectly agreed in this—that a board was the fair instrument, not for the government—for there the mistake had been—but for the control of the government of India. A secretary of state was not the fit person for superintending such a board. A secretary of state was the servant of the Crown, by whom the pleasure of the sovereign was signified. It was not so in the board of control. In this office the king's pleasure was never signified. The duty of the board was great; but it was not an original, acting duty. With a trifling exception, which he would afterwards mention, the board originated nothing. He had no wish to enter into the details of such a subject, nor would he now proceed to do so, if it had not been actually forced upon him. The course of business, so far as related to dispatches sent out to India, was this. The dispatches were prepared by the court of Directors and sent up to the board of control for revision, correction, or approbation. No dispatch could be sent out to India without the approval of the board of control,

signified by the signature of three commissioners. He did not mean to say that many dispatches were not forwarded in the form in which they were first prepared; but, in others, it was found necessary to make corrections, or additions, which were again sent back to the court of directors, assigning the reasons and adducing the motives which required such alterations. Now, such [a course of proceeding afforded a guarantee for the diligent performance of the duties of the several parties concerned. If the president or the commissioners were even disposed to be idle, the House would evidently see, that where they were obliged to give their reasons for any proposed alteration or omission, no man would risk his reputation in giving such reasons, unless he had previously made himself acquainted with the subject. Such was the legal course of proceeding prescribed by the act of parliament and in no instance ever omitted. But custom had introduced another course, which, though it seemed to give additional trouble in the first instance, was calculated ultimately to save it. Previous to an important dispatch being made up at the India-house, its substance was usually, by courtesy, communicated to the president of the board of control; so that if there was any fundamental objection to the principle on which it was framed, this could at once be stated, confidentially, without committing the two authorities against each other; and the court of directors might be advised that it would be better not to draw up their dispatch in such a shape. On this intimation being given, the plan of it was commonly altered. When the directors were determined in their opinion of the propriety of the course they intended to pursue, then, not being in every degree bound to conform to the opinion of the president, thus confidentially and unofficially communicated to them, the dispatch was sent up to the board of commissioners as originally drawn, and had to go through the usual forms. It was then perhaps sent back with such alterations as were considered necessary. This would sometimes produce a remonstrance; to which a reply became necessary, and that reply frequently led to verbal as well as written communications. From this detail two things were evident: 1st, that this sort of amicable discussion is not the proper function of a secretary of state,—who signifies the king's pleasure; which is of course not liable to question or remonstrance. 2ndly, That no man can execute the duty of first commissioner—nor the duty of a commissioner of such a board, without making himself thoroughly master of the business that comes before it—or of such part of that business as the presiding commissioner may think fit to assign to him.

That it might be seen what was the weight of business thrown on the board, he had caused an account to be taken of the number of dispatches which had passed through it during the time of his presidency. In four years and a half or nearly five years, he found that the number of dispatches which had come before it amounted to within a few of 1800. Of these, many of course were passed with no alteration, or with alteration so slight that they were hardly worth entering into a controversy about. But all must have been read, even to pass unaltered; and about one tenth of them had been thought to require such alterations as had led to detailed expositions of reasons, and to discussions with the directors—not certainly of a hostile character, but often very long and complicated. Nor was that all: for almost all dispatches came up accompanied by papers, and documents of such number and bulk, that when his hon. friend, the secretary to the board, had pointed to the pile on the table, it appeared to him that nothing but his hon. friend's natural shortness of sight could have led him to magnify that pile into any thing like an equality with his official collections. It gave in truth, no adequate idea of the bulk of papers and documents to be perused by the board. This subsidiary mass accompanied the dispatch, not like a little attendant bark, which—

"Pursued the triumph, and partook the gale;"

but with a proud and portly importance of its own, which often threw its principal into the shade. It was said, that there was no great labour in getting through these dispatches, and he had been asked the time which they consumed? He should answer the question by a few examples. He had seen a military dispatch accompanied with 199 papers, containing altogether 13,511 pages; another, a judicial dispatch, with an appendage of 1,937 pages; and a dispatch on the revenue with no fewer than 2,588 pages by its side. This, then, was the modicum, which, be it observed, must be read by somebody at the

board—this was the sinecure, the little appendage which might be so conveniently transferred to the secretary of state for the home department, or to the office which transacted the affairs of the colonies of half the world. He did not believe that the physical strength of any single secretary would suffice to get through his part of the business, and the president must be utterly overwhelmed with the detail, before he could get at the substance—if he were to take that detail upon himself. It had been pretended, that an active president with a diligent secretary could get through the whole with ease. He ventured to pronounce it utterly impracticable.

He would state the means by which this business was disposed of at present. In the first place, much credit was due to the servants of the East India Company. The papers received from them were drawn up with a degree of accuracy and talent that would do credit to any office in the state. The board could not, with all the talents and industry of the president, the commissioners, or even of his hon. friend, their tried secretary, have transacted the business devolved upon it without the talents and industry with which that business was prepared for them at the India House. Now, taking the dispatches at 358 in the year, (that was the average number of the 5 years of his (Mr. C.'s) presidency), including many of those monsters which he had described, as it was necessary, not that the president of the board of control should read all of them all through, but that he should look accurately to all those respecting which any doubt had been started, was it too much that he should have two gentlemen to assist him, on whose understanding he could rely, and who would share in some degree, though not in a political sense, the responsibility of the office? It was necessary that he should have such assistants to receive the dispatches from the clerks, whose business it was to go through them literally and verbally in the first instance,—noting the points on which any question could arise, and referring to the papers substantiating them; and such assistance he had from his honourable friends near him, who had proved as efficient assistants to him, as the right hon. gentleman opposite had found a noble friend of his when he filled the same situation. While he was at the board, he had never passed a dispatch, on which he had not first availed himself of the light of their understandings. He did not say that he had never signed a dispatch, in confidence, without reading it; but he had never signed one with which they had not made themselves acquainted, and of which one or other of them had not given him the assurance of their exercised judgment:—and never one, upon which they reported a doubt, without carefully and critically examining it. He contended, therefore, that the present machinery was well adapted for the due discharge of the duties confided to the board; and he was satisfied that it was not too extensive. He should be ungrateful not to acknowledge the assistance he had received from his noble friend near him (lord Binning), in the judicial branch of the Indian policy, to which, intricate and perhaps repulsive as it was, his noble friend had devoted himself with an ardour kindled, perhaps, by the example of a gentleman already named in this debate (Mr. Cumming). With the greatest thankfulness he acknowledged also the assistance of his right hon. friend, the member for Christchurch (Mr. S. Bourne), without whose aid he would have been in the utmost perplexity, especially in legal matters and subjects of appeal. In debates, turning (as all debates now did) upon insinuations of personal motives and base corruption, it might not be improper to say, that both his noble and his right hon. friend had gone out of office against his earnest entreaty. If they had yielded to his prayer and wishes, his noble friend would still be rendering that service to our Indian government which, his acquaintance with its affairs rendered him peculiarly qualified to afford; and his right hon. friend would be now filling one of the highest judicial situations in India. That appointment, when he (Mr. C.) pressed it upon him, his right hon. friend had declined, and both were now, by their own free and unchangeable determination, out of office. Against such characters it was, that the House now heard insinuations thrown out, as if the board were a nest of sinecures: filled without talents, and with emolument unearned by any discharge of duty. While he was thus rendering tribute to individual merit, he could not pass over his hon. friend near him (Mr. T. Courtenay). Whatever blame attached to the increase of his hon. friend's salary, he begged it might fall on him (Mr. Canning). He was prepared to answer for

it at the bar of that House—before the country—or even before the committee proposed by the hon. gentleman. When he first went to the board of control—a circumstance not of his own seeking, but the result of accident—he found his hon. friend in the situation which he now filled so much to his own honour. He only knew the secretary at that time, as the reputed author of a pamphlet in which he (Mr. Canning) was pretty severely attacked for a speech he had made in that House. It would, therefore, be readily conceived that they did not approach each other with any feelings of extraordinary personal prepossession; but the patient industry, the unostentatious activity, of the hon. secretary, had made him feel it to be his duty to raise his salary from a state of depression to a level with offices, to which it was not inferior in importance. He had found the hon. gentleman in the receipt of 1,800*l.* per annum. He was desirous of augmenting his income; and an opportunity presented itself of doing so, as the result of a measure of economy. The chief clerk's situation fell vacant; he had thought that office might be dispensed with, and accordingly it was not filled up. Two other offices which were nearly sinecures he had taken measures for putting an end to, at the expiration of the interest, now existing in them. He had thence gained the means, as he thought, both of strengthening the efficient part of the office and compensating the services of his hon. friend. He understood it had been said, that his hon. friend had extorted successive augmentations by successive and humiliating supplications. In refutation of this insinuation he would read the minute of the board respecting the augmentation of the secretary's salary.

[Here the right hon. gentleman read a minute which, after alluding to the diligence and length of service of the secretary, resolved, that he should have an increase of salary of 200*l.* immediately, 200*l.* more at the end of five years, and 300*l.* more at the end of seven years, making altogether 2,500*l.* at the end of ten years.] It appeared from this minute that of what had been arranged for his hon. friend, part was yet incompleted; and if he (Mr. Canning) had any weight on the subject, he, as the deceased president, bequeathed the performance of it as a legacy to his successor. This would place the office of his hon. friend in the same situation with that of the under secretary of state, with which its business might, without disparagement, be compared.—It had been stated by the hon. gentleman, that the chief secretary to the commissioners was entitled to the advantages of superannuation. No such a thing. This was the single office in the state for which no superannuation allowance was provided. He would tell the House how this happened. In 1817, a bill was before the House relative to the provision to be made for the remuneration of persons who had discharged, for a specified time, the duties of high and efficient public offices. In that bill, the president of the board of control, and the chief secretary were not included; and the reason given by the report of the committee which recommended the bill for not including them was, that they were to be paid from a different fund;—that is, from the money of the East India Company. It was therefore suggested by the report, that a separate bill should be brought in for providing remuneration for those two officers: and upon him (Mr. Canning) it naturally devolved, to bring in such a bill. Those who considered the temper of the present times, and the temper of those to which he had referred, would not feel much surprise that he should have felt reluctant to bring in a bill to provide a retreat for the president of the board of control, with whose fate that of the secretary was involved. He had besides differed in opinion with the committee, not thinking as they did, that the charge of such a retreat ought to be thrown on the East India Company. He had therefore declined bringing in the bill,—of which he would himself have been the first to profit; and for these reasons his hon. friend had remained the only man of his class who was not so provided for. Under these circumstances, the increase of salary which he had received was not only what he had deserved, but what he had a right to expect from his (Mr. Canning's) hands. His hon. friend had been nearly ten years in office—he was now to be amerced in one-tenth of his income by the arrangement about to take effect with respect to all salaries—and that at a time when, he might beg leave to say (though this was not strictly a parliamentary argument) his hon. friend was in daily expectation of the birth of a tenth child. [A laugh.] If there was any man in that House who would say that the salary was too great for such services—if there was any man who

grudged his hon. friend such an augmentation—he could only say, that he did not envy that man his feelings—and, however he might be inclined to give him credit for economy, he did not feel disposed to share his coldness of heart [Hear!].

The hon. gentleman who had opened the debate had entered at some length into the structure of the board; and a cry was raised against the number of the commissioners. Now, to him it appeared, that there would be something unseemly in an arrangement which should subject the decisions of a body like the East India Company to be altered and nullified by the dash of a single pen. That a deliberative body should act on such occasions was not only due in courtesy to the Court of Directors (in fact the government of India), but was essential to the prosperity of the important interests confided to their care. Mr. Fox—no mean judge of these matters—had he been sparing of commissioners? He had proposed seven principal, and nine assistant commissioners. "O! but then his seven principals were not paid!" "O! but the nine assistants were!" But the grand commissioners were not paid. Not paid! Why, they were to hold their offices for four years irremovable by the Crown: and they were to enjoy that of which he (Mr. Canning) had not one jot—all the patronage. After this, he should like to hear it again stated, that men were not paid for their services, who enjoyed the patronage connected with a revenue of sixteen millions. Mr. Fox's Bill had, indeed, been over-ruled, but it was elsewhere. The House of Commons passed it. Of Mr. Fox's commissioners he might say, as Pope said of Bufo's stipendiary poets—

"And some he paid with port, and some with praise."

Some of the commissioners were to be paid with solid sums of money, and others with extensive patronage. Mr. Pitt tried the experiment of an unpaid committee of privy council, with a secretary of state at their head, for eight years, and then—What then? Why, an act of parliament established the board of control, as it now existed. What again resulted from that? That the president was made a responsible minister, with two salaried assistants, whose services he might command and profit by, if it were not his own fault; and, if they failed in the discharge of their duty, he (Mr. Canning) would recommend their removal with as little ceremony as he would that of an idle, loitering, newspaper-reading secretary. [A laugh.]

The right hon. gentleman proceeded to describe the constitution of the board, and explained the importance of the several regulations by which it was governed; its connexion, through the president, when (as in his case) a Cabinet Minister, with the general body of the administration; and the use occasionally made of those privy councillors who are unpaid members of it, and some of whom occupied other departments in the state. In the early part of his presidency, when war was raging in India, he had not scrupled to apply to lord Teignmouth for aid, and from that noble viscount he had received the most important assistance. Mr. Sullivan, a commissioner who had resigned, remained at the board at his (Mr. Canning's) desire, and that gentleman's information and experience upon matters of local knowledge and practice in India, had been found most useful. It was, perhaps, hardly regular to allude to it, but on a former evening, during the debate on the motion respecting the lords of the Admiralty, a whimsical story had been introduced of a certain unpaid commissioner of the board of control, having gone to the office to inquire for a board; and having been told that there was no board sitting: he had been shown indeed a table covered with green cloth, and paper, and all the paraphernalia of writing; but as to board, Lord bless you, sir, said the office keeper, such a thing has not been known this many a day. Now this sounded very comical: but it might be true, and yet perfectly blameless. The inference meant to be drawn from this story, was this—that the whole office was perfectly nugatory; but it is no such thing. There are, by the constitution of the commission, two commissioners not privy councillors, who are there (by their own desire, no doubt) to learn Indian business. But it was quite silly to suppose that the history of our empire in India was to be learnt by attending a formal board; where, by the description which he had given of the course of business, nothing of the real substantial labour of the office was or could be done. There was a library, with 2,000 volumes of 700 pages each—not such volumes as were found in booksellers' shops—but solid substantial tomes of many cubical feet of knowledge; of which

when the young commissioner had made himself perfectly master, there would be no objection to his being initiated into his place at the board. But the attendance of an unpaid commissioner was not wanted, nor did he think that important business could long be carried on in any country by unpaid servants of the public. These commissioners were treated with due respect. They were allowed the privileges of reference to all the records of the office, and in times of interest to all the current business: after this, for them to complain that more attention was not shown towards them, and that they were not asked to assist at the board with their counsel, was about as reasonable as it was in the lady in Blue Beard, who, being allowed to amuse herself with the curiosities in ninety-nine apartments, was miserable because she was not permitted to enter the blue chamber which was the hundredth [a laugh.] To sit in a body, and have a thousand pages read, would be a very ineffectual mode of doing business. The rational course to pursue, and the one he had always pursued, was, to distribute the business amongst different hands, and then to have the results brought for his decision. That was the real mode of doing business.

If an unpaid commissioner however had been excluded, and was offended at the exclusion, the hon. secretary could satisfy him that he had no great loss; for that, if admitted he would have found the matters which occupied the board extremely uninteresting. Two branches of business lately had indeed been added to the labours of the board—the ecclesiastical department not altogether a light concern, since parliament had sanctioned two religious establishments in India. Hence had arisen the act for licensing Scotch marriages. New business had also grown out of the conditions on which the last charter had been granted. These had authorized individuals to resort to India; but it was required that they should apply for a license to the court of directors; and where such license was refused, an appeal might be made to the board of control. And here he felt himself bound in justice to speak of the conduct of the court of directors. When the provision which he had alluded to was made, it was opposed, on the ground that the directors would be likely to use it unfairly. The applications which had been made for licences to go to India since the renewal of the charter were between 4 and 500. Of these the court of directors had refused about one third. As a test of the general propriety of these decisions, he had to state, that but a third of that third which had been refused permission to go to India, had succeeded in getting the refusals reversed by the board of control.

If he had succeeded—aided as he had been by the right hon. gentleman (Mr. Tierney)—in shewing that a board of control was a fitter instrument than a secretary of state for superintending the concerns of the East India company—if the House were satisfied from the speech of that right hon. gentleman, that more strength, talent, and time were required in superintending those affairs than one man could be expected to supply—if they bore in mind, that the right hon. gentleman had received valuable assistance from those who had been associated with him, remembering that such assistance had been still more necessary to him (Mr. Canning) from the great increase in the business—if this impression had been made on them, there were but two grounds remaining on which a motion could be supported, which had for its object if not the total abolition of the board, the weakening of the establishment, by the diminution of its numbers. These two arguments were, first, that in these times of distress, the salaries of the commissioners should be spared, and revert to the pockets of the public; and secondly, that if there should be no saving to the public, it would at any rate be consolatory for a suffering nation to see places reduced from which official persons in times of distress, enjoyed an invidious affluence. The right hon. gentleman opposite had answered the first argument, by stating, that the salaries of the board were derived from the East India Company; and that if the board was abolished, the money would revert not to the pockets of the subject, but to the coffers of the Company. The best proof of this assertion was to be found in the fact, that during the time which occurred from his (Mr. Canning's) resignation to the appointment of the right hon. president (Mr. Wynn), the salary which was not accepted by the holder of the office remained with the company. If the hon. gentlemen, therefore, wished a saving for the public, they ought to have been earlier in the field—they were a year too late.

But, he was aware that upon this subject of saving there was another favourite

argument in reserve; namely, that even though the public should reap no advantage from the abolition of the office, it was inexpedient at a time of public suffering, that the holders of office should be enjoying an invidious affluence. He knew the end to which this *argumentum ad invidiam* tended, and he would not, if he could help it, yield to the principle which it involved. He admitted that the emoluments of office were not in the nature of property; but they could not be abolished on such a principle as this; that principle was one, which, pushed to its extent, involved all property—it was a principle that had led to invasions of private rights, and had been the fruitful source of popular excesses. The belief, that whatever was enjoyed by the rich was an injury to the poor—the happiness resulting from the diminution of another man's prosperity—the idea that the poor man should

"See no contiguous palace rear its head
"To mock the meanness of his humble shed,"

these were all fruits of that principle, which went to diffuse the misery which we could not redress, and to destroy the possessions of one class of society, not because they were injurious, but because they were odious to those who did not participate in the enjoyment of them. He allowed, that between the salaries of office and the rights of property there was an immense distance; but the intermediate space was filled up with property of different denominations and held on different tenures, all of which this principle would equally affect.

Let it not, however, be imputed to him (Mr. C.), that when an office could clearly be proved to be useless, he would defend its continuance, or would argue against its abolition. But let the office in that case be abolished on the fair plea of its inutility, and not on the ground that it conferred affluence on its holder, and was an eye-sore to the wretched; not on the principle, that emoluments of office should alone be selected to suffer for the sake of the revenue. He knew only of two other classes of men, the Jews anciently, and more recently the Roman Catholics, who were considered as fair subjects of a taxation from which their fellow-citizens were exempted; and he protested against placing the holders of office in that situation, and conferring upon them the *privilegium odiosum* of bearing more than their due proportion of the public burthens.

When he argued for the utility of the office which the motion went to abolish, he did not say, but that it was possible to abuse it—he did not say that it might not be filled by idle persons; but this he would say, that there was business enough to do, and that there were sufficient motives for activity, unless the commissioners formed a kind of conspiracy for indolence. No man would submit to fill the office inefficiently, without neglecting the discharge of useful and important duties. He was speaking of establishments, and not men; and, therefore, he would say, that a board with the present number of commissioners, headed by a president who was either a cabinet minister, or in immediate communication with the ministers, could conduct the business better than a secretary of state. The president would desert his duty if he did not consider himself as bearing all the responsibility of the office; but he might divide its duties with his assistants. Thinking, then, the board a useful establishment, believing that as at present constituted it answered all the purposes of its erection, and that the commissioners proposed to be reduced were necessary for its perfect efficiency, he could not consent to the present motion. When future presidents should cease to follow the example of their predecessors—when the business of office was neglected whether by commissioners or secretaries—he would then allow that it was an office which parliament might consent to reform, or, in other words, to destroy. At present, he would say, that such was the extent of business to be performed—such the vigilance, activity, and talent of the subordinate officers, with whose knowledge the commissioners must keep pace—if they valued their own character and the good opinion of those who act under (as powerful a check to a mind of sound and just feeling, as the criticism of equals, or the control of superiors)—such the importance of the matters for its deliberation and decision,—and such the publicity given to the conduct of the commissioners by discussions like the present, that every security was given for the faithful discharge of duty, and no commissioner could ever henceforth be allowed to be so idle as the hon. mover of the present question had acknowledged himself to have been while in office.

Mr. *Buxton* wished to say only a few words in praise of the conduct of the

board. The House had heard last year some discussions regarding the burning of Hindoo widows, and the desire of a great body to see the horrid practice abolished. A dispatch had been drawn up by the board of directors on the subject, for the purpose of being transmitted to India. Now that dispatch was a disgrace to Christianity; and had it not been for the sound, large, and liberal views of the board of control, it would have been adopted and sent out to guide the conduct of the Indian government.

Mr. *Wynn* said, it would be idle to enter into any defence of the board of control, after the able speeches of the hon. secretary and of the right hon. gentleman who had lately filled the office of president. He himself had not been in office more than a month; but, judging from what he had seen, he could say, that the statement of his hon. friends was completely borne out by facts. As the hon. mover who occupied the place of secretary in 1806, had kept silence for fifteen years on the inefficiency of the offices which he now proposed to abolish, he must have some reason for now speaking out, which he had not before. That object was easily guessed at. He had employed his motion merely as a peg on which to hang his attack upon him. In pursuance of that design, the hon. mover had stated that his (Mr. W's.) accession to office was a purchase of family interest. To answer seriously a charge of this kind would be to acknowledge the probability of its truth; and therefore he would not say one word on the subject. He had now sat in the House for twenty-five years, and he called upon hon. gentlemen who had observed his conduct to say whether he had given ground for such insinuations. The hon. gentleman, in order to make out the charge of sacrificing principle to place, had mentioned his (Mr. W's.) vote against the salt-tax before he came into office, and his support of it on a late occasion; but, was there any thing inconsistent in voting against a tax at one time, and for it another? He was glad of that cheer, because it showed that he was understood by those who with him, before the year, 1806, opposed the property tax, and who afterwards preserved and increased it. In the case in question, he thought the salt tax objectionable, and voted for its repeal. He still retained the same opinion; but he was prevented from giving his vote, by circumstances which had occured in the interval between the former and the recent discussion. The House had voted that a sinking fund of 5,000,000*l.* was necessary to support public credit: the faith of parliament was pledged to this amount; the public creditor relied on its maintenance; a great financial operation, rendered practicable by a rigid adherence to national engagements, was going on in consequence; and this was the time chosen for moving the repeal of a tax which had entered as a necessary element into the fund which the resolution of the House had pledged it to support. If, after passing this resolution, the House had, in the course of eight days, turned round and destroyed its own work, it would have rendered itself unworthy of the confidence of the public. He had not, therefore, changed his ideas of the impolicy of the salt tax; but he had allowed his ideas regarding its immediate repeal, to be overruled by imperious circumstances. The hon. gentleman had quoted to him the opinion of a branch of his family. He had the honour to belong to a family, the branches of which often took different sides in politics. He allowed those who differed from him the credit of honestly forming and following their opinions, and he claimed the same credit for himself. The argument drawn by the hon. gentleman against the possession of seats by the commissioners of the board of control did not appear to him to be well founded. The parliament of queen Anne could not foresee that we should have, including our India establishments, a revenue of 80,000,000*l.* to be administered, and the act that had admitted the commissioners to hold seats was as valid as the act which was supposed to exclude them. With regard to the charge of his having changed his opinions with his situation, it was unfounded. He did not accept of office till he found that the opinions of those with whom he joined coincided with his own. If an opportunity should occur when an expression should be called for of any of his former opinions, he was prepared to show that they had undergone no change; and until such an opportunity arrived, he must be content to pass by with indifference any insinuations to the contrary.

Lord *Binning* merely wished to state a word in answer to the charge of the hon. member for Weymouth, who had said, that a dispatch from the Board of Directors, which would have disgraced Chris-

tianity, had been stopped by the Board of control, and prevented from being transmitted to India. Now this was incorrect: the dispatch was not stopped; it was not a disgrace to Christianity; it was freely dealt with at the board, and then adopted, but it did not originally deserve the character given of it by the hon. gentleman.

Dr. *Phillimore* rose, only to repel a charge against his character; and he trusted that the personal attack of the hon. mover would not lead him to be personal in return. He must, however, tell that hon. member, that before he again threw out such insinuations, and indulged in such charges, he should examine more strictly the grounds on which they were bottomed. He was inconsistent, it was said, and he had cost the country a million and a half of money. Now, how was that charge made out? The hon. gentleman answered, that he had voted for a repeal of the salt tax before he came into office, and against that repeal when in office. The statement was incorrect. He had never voted for an immediate repeal, though the charge had been malevolently made out of doors, and attempted to be supported on garbled extracts from his speeches. He disdained to reply to the quarter whence this imputation proceeded, but in his place in parliament he was willing to explain his conduct. The resolution which he had brought forward, and which was studiously omitted in the garbled extracts from his speeches, merely pledged the House to take the earliest opportunity to consider of the repeal of the tax. He would conclude by assuring the House, that when he accepted of office he had done so with a resolution to do his duty to the utmost of his abilities.

Mr. *Creevey* briefly replied. He said, he had understood before he came down to the House, that the great performer was to be put in requisition that night, and that this was his last appearance on that stage for some time. Like some other great actors, however, he had overdone his part. The House had heard all the changes rung on a few words, and each time his friends laughed at his repeated attempts at waggery, as if they were new. Thus they had heard no less than four or five times the very amusing phrases of the "idle secretary," "the idle, loitering, newspaper-reading secretary," "the idle park-window gazing secretary," "the idle secretary's stillness of stagnation." But, would the House believe that all these epithets applied to the great performer himself? The great performer was precisely the idle secretary. Did they never hear of an idle ambassador with a large salary, who went to a country where there was no court, to welcome a king who had never arrived? The great performer only took for granted that he was an idle secretary—a character which his right hon. friend (Mr. Tierney) would not give him; but all the world knew that he was a richly-paid idle ambassador. Let a jury of the country be impanelled—let him and the great performer be judged by impartial men, and he had no dread of the decision that would be given. Having attempted to turn out the noble marquis, his friend, he was himself turned out, and saw the noble marquis the distributor of office. He then accepted of a place under that noble marquis, whom he had pronounced incapable. This tip-top wag of the country was sent out on an idle mission—he returned to serve under the noble marquis and, after having played his appointed time, he came down to night for his benefit. The house had heard his performance, and his friends had applauded. He appeared to be the delight of the House, when he talked of "idle window-looking secretaries" and "still stagnations." But leaving his jokes and waggery out of the question, what had the great performer said in defence of the board, and the two paid commissioners? Nothing at all; unless that it was necessary to have a noble lord and a right hon. gentleman to read his papers for him. Could not two clerks read these papers as well as two commissioners? Was it necessary for this purpose to have two members of parliament? The House had only heard of 15 bills being presented by them in so many years; but, could not these bills have been prepared without them? Why four members in the House from one board? he never denied the utility of the president; all he contended for was, that, with an active president, no assistant commissioners were necessary. Although this motion should be lost, he did not despair, notwithstanding all the waggery of the great performer, to carry his point at last, and turn out the learned civilian.

The House divided: Ayes 88. Noes, 273. Majority against the motion 185.

List of the Minority.

Althorp, visct.	Maberly, W. L.
Beaumont, T. W.	Mackintosh, sir J.
Baring, sir T.	Martin, J.
Barrett, S. M.	Maule, hon. W.
Bennet, hon. H. G.	Moore, P.
Benyon, B.	Marjoribanks, S.
Bernal, R.	Normanby, visct.
Birch, J.	Newman, R. W.
Bright, H.	Nugent, lord
Burdett, sir F.	O'Callaghan, J.
Byng, G.	Ord, W.
Boughey, sir J. F.	Ossulston, lord
Calvert, C.	Palmer, col.
Calcraft, John	Palmer, C. F.
Cavendish, lord G.	Philips, G.
Cavendish, H.	Philips, G. R.
Cavendish, C.	Price, Robt.
Coffin, sir I.	Pym, F.
Coke, T. W.	Ricardo, D.
Colborne, N. R.	Ridley, sir M. W.
Concannon, L.	Robarts, A.
Crespigny, sir W. D.	Robarts, Geo.
Crompton, S.	Robinson, sir G.
Denison, W. J.	Russell, R. G.
Duncannon, visct.	Rice, T. S.
Ebrington, visct.	Rickford, W.
Ellice, E.	Smith,——
Fergusson, sir R. C.	Smith,——
Foley, T. H.	Sefton, earl of
Folkestone, visc.	Stuart, lord J.
Griffith, J. W.	Sykes, D.
Haldimand, W.	Taylor, M. A.
Hamilton, lord A.	Tierney, rt. hon. G.
Hill, lord A.	Tynte, C. K.
Hobhouse, J. C.	Warre, J. A.
Hughes, W. L.	Webbe, E.
Hume, J.	Wharton, J.
Hurst, R.	Whitbread, S.
Hutchinson, hon. C.H.	Williams, W.
James, W.	Williams, R.
Johnson, col.	Williams, O.
Lambton, J. G.	Wilson, sir R.
Lennard, T. B.	Wood, alderman
Lushington, S.	TELLERS.
Leycester, R.	Creevey, T.
Maberly, J.	Smith, W.

Police of the Metropolis.] Mr. Secretary *Peel*, in moving for a committee on the police of the metropolis, said, he should abstain from discussing or even giving an opinion upon the subject. He trusted that the House would not attribute his forbearance to any thing like insensibility to the importance of the question; it was the paramount importance of the subject, and its intimate connexion with the criminal jurisprudence of the country, which induced him, (adverting to the short time he had been in office) to doubt his competency to treat it as might be expected. Any opinion which he could at present offer to the House must, in the nature of things, be crude and imperfect. In 1816, 1817, and 1818, committees had sat upon the state of our police: those committees had collected much valuable information, but they had concluded their reports by a recommendation of further inquiry; and, in compliance with that recommendation, and of a promise given by ministers last session, he brought forward his present motion. He had endeavoured to form the proposed committee of gentlemen whose attention had been turned to the subject, and who were likely, from the places they represented, to have no peculiar interest in the subject; and he hoped that the inquiry would be prosecuted with but one view—the obtaining for the metropolis as perfect a system of police as was consistent with the character of a free country. —The motion was agreed to, and a committee appointed.

HOUSE OF LORDS.

Friday, March 15.

Ilchester Gaol — Treatment of Mr. Hunt.] The Earl of *Darnley* wished to call their lordships' attention to the state of the gaol of Ilchester, where it appeared that practices of a most extraordinary nature had for some time existed. Whatever the other deserts of Mr. Hunt, the individual by whom these practices were brought to light, in other respects might be, the country was much indebted to him for exposing such atrocities. He fully acquitted the government, of any concern, in the persecutions inflicted on that individual; but when they could not but know that persecution gave importance to its victim, they should have taken care that such importance was not given to the person, in question. He would move, for a copy of the report of the commissioners on Ilchester gaol.—Ordered.

Irish Tithes.] The Duke of *Devonshire* presented a petition from the corporation of the city of Waterford. The petitioners prayed their lordships to take into consideration the disordered state of Ireland, and in particular the system of tithes, and the mode of their collection. They were proprietors of the tithes of thirteen parishes, yet, notwithstanding this interest, they were willing to agree to any measure which might tend to the public advantage. He was anxious to

direct their lordships' attention to this important subject; and as, from certain circumstances, he rarely took any part in their lordships' debates, he felt himself honoured in having to lay before them the sentiments entertained respecting it by so respectable a body. The frequent recurrence of those scenes of disorder which now existed in Ireland, must be regarded as evidence of something being wrong in the system by which that country was governed. It was not for him to say what measures ought to be adopted; but he thought there was nothing in the state of Ireland which more immediately demanded their lordships' attention than the system of tithes. He believed it would be found that the collection was not effected without great severity. The rigid collection was, perhaps, necessary while the system existed; but, then, that very necessity proved the propriety of resorting to some other means of providing for the church. The clergy and the people would be equally benefitted by such a change; for it would lessen the number of dissenters from the established church, and render its ministers more universally objects of respect. He was, himself, the proprietor of the tithes of more than 20 parishes, and he was ready to make a very great sacrifice to remove the evils to which the system was liable. All lay impropriators in Ireland would, he hoped, be anxious to correct a system, which was the source of so much mischief; and he could not anticipate any opposition on the part of the clergy. In discussing this important subject, he was sure that none of their lordships would be afraid that the adoption of any measure of commutation in Ireland would afford a precedent for interfering with the law of tithes in England. No apprehension of this kind could be entertained, when the essentially different circumstances of the two countries were considered. He, therefore, anxiously hoped that his majesty's ministers, or some person qualified for the task, would, without delay, bring the question of Irish tithes before parliament. There was, besides tithes, another frequent subject of complaint relative to the state of Ireland, to which he felt some delicacy and difficulty in alluding, but which he could not pass over unnoticed—he meant the complaint of the number of absentees. As one who stood in that situation, he was most anxious that no conduct of his should aggravate any injurious effects to which non-residence might give rise. The consciousness of being unavoidably an absentee, had always induced him to do every thing in his power to mitigate any evil which might attach to such a character in a proprietor. He was persuaded that their lordships would not consider the present disturbances a reason for refraining from any investigation which the state of Ireland called for. The existence of those disturbances was rather a motive for hastening the duty of inquiry. If it should be found to be in the power of parliament to apply any remedy, nothing could be more grateful than the performance of that imperative duty. Ireland had now the happiness to possess a lord lieutenant who would give its state full consideration, and whose vigour, experience, and talents, would be employed for its benefit. He entreated their lordships serious attention to the prayer of this petition, which spoke the sentiments of all the loyal, intelligent, and substantial part of Ireland.

The Earl of *Liverpool* felt convinced, that he only gave utterance to the sentiments of every noble peer in the House, when he expressed his regret that any circumstances should prevent the noble duke from taking a more frequent part in its debates. He had never seen a question brought forward in a more manly, distinct, and able manner. The petition was entitled to the most serious consideration, from the respectability of the body from which it proceeded, and from the influence and property of the noble duke by whom it had been presented. Whatever the inconvenience of absentees might be, and he did not deny that they were great, he had the satisfaction of knowing and believing that there was no landlord more liberal towards his tenants, and more eager to do every thing in his power to mitigate their sufferings, than the noble duke. With respect to the subject of the petition, it was a question which occupied the most serious attention of the noble marquis at the head of the government of Ireland, and of the members of administration in this country. It was necessary, however, that one or two prejudices should be removed. With respect to the present disturbances, he did not believe that much of them belonged to the question of tithes. Neither was it a question solely between the clergy and the community; for more than one-third of the tithes in Ireland was not in the posses-

sion of the clergy, but in that of the lay impropriators. He stated this to do away an injurious imputation which had been cast upon the clergy. He could not speak from his own experience of the manner in which tithes were levied in Ireland, but it would generally be found in England that, the clergy were not the persons most severe in the exaction of their rights. It was important that their lordships should not suppose that this great question had been overlooked. It had been under consideration for many years; and even a noble duke who was at the head of the Irish government in 1806 and 1807, had avowed, that he had not found any plan which completely met the object which he had in view. There was a difficulty which, however, he did not consider as insurmountable. It was this —that in any commutation of tithes, the advantage in profit was most likely to be on the side of the clergy. This to him was no objection; especially as the alteration proposed would have a tendency to produce tranquillity in the country. The noble duke had alluded to a very general notion, that it was impossible to enter into the question of tithes in Ireland, without being called upon to do the same in England. He agreed with the noble duke in thinking that there was no shadow of necessity in the case; and he should add, that he saw no reason why persons the most averse to entering into the consideration of the question of tithes as it regarded England, might not readily entertain the same question with regard to Ireland. It appeared to him to be purely an Irish question! and the object of inquiry would be, how to do justice to the clergy, and all those interested in the particular kind of property. It ought not to be mixed with any other question. He might say, that the subject was under consideration, and that those whose particular business it was to consider the question were earnestly applying their minds to it.

The Marquis of *Lansdown* said, there were circumstances connected with the petition just presented, which commanded their lordships' particular attention: first, in the manner in which it had been introduced by his noble friend, who had done such ample justice to the subject; and next, in the character of the petitioners, who called upon their lordships to interfere on the great principles of justice and policy. Whatever remedy their lordships might find for the evil, it must redound to the honour of the corporation of Waterford, that they had so readily expressed their willingness to renounce important interests for the sake of removing from themselves the odium and perplexity which the system of tithe property created, and from the country a principle of distraction and dissension which had so long afflicted it. His noble friend had stated the extent to which he was proprietor of tithes, and the individual who was now addressing their lordships was not uninterested in that kind of property. In common with the petitioners, he came before them to express his anxiety, that the system of tithes should be investigated, and he was sure that they would find in the statements of the petitioners ample grounds for making it the subject of prompt and serious consideration. No man who fairly considered the question could fail to acknowledge it to be most unfortunate, that a species of property already abolished in most parts of Europe should continue in its very worst state in that part of Europe, where its existence presented the greatest anomaly with the state of society, and was productive of the greatest possible mischief. If the ingenuity of the legislature had been devoted to the discovery of a particular institution which should present the greatest bar to the success of the Protestant church in Ireland— which should have the greatest effect in alienating the minds of the people from the established form of worship —which should be most successful in sowing discord, and encouraging its growth when sown—no better means could have been devised than the state of the law respecting tithes. But, while these considerations imperiously called upon their lordships to proceed to the investigation of the subject, there was nothing in such an inquiry which implied any hostility to the established church. Whatever evil there might be in the conditions attached to this description of property, the Protestant clergy were in no respect answerable for it. They were the ministers of humanity and benevolence, as far as the state of the country would permit. If they could not always carry their religion into the cottage of the poor man, they carried that advice which their situation afforded them to give, and promoted that conciliation which it required. It was not to such men the evils felt on this subject ought to be attributed.

They belonged to the system itself. But it was also true, that there unfortunately were instances of the contrary. It was one of the evils attending tithes, that they would often fall into the hands of persons who would avail themselves of the opportunity which the tenure of that property afforded, to harass those who had to pay. That alone was a great source of discontent. The noble earl had said, that the existence of this system was not a principal cause of the present disorders in Ireland; but there were many instances in which it appeared that the collection of tithes had been the sole cause of the disturbances. The noble marquis here referred to the resolutions of the magistrates of two baronies, unanimously agreed to, stating, that the collection of the tithes had occasioned disorders which could be attributed to no other cause, and instanced the case of a curate who farmed the tithes of his rector, and who had raised them 75 per cent since 1815. It was evident, that the system pursued by tithe-proctors, could not be carried into effect without producing the most bitter consequences.—He had alluded to the system of tithes having undergone modification in other countries; but their lordships would not therefore suppose, that he meant to recommend the adoption of similar measures in this country. He was willing to admit that advantages had been obtained, even in those countries on the continent, in which the changes had been most extensive; but those changes were of so revolutionary a nature, and had been attended by such a character of spoliation, that he should be sorry to see any disposition to imitate them in this country. The only principle which should guide their lordships' conduct in legislating on this subject was, to do ample justice to those who were interested in tithe property; but, in doing this ample justice, it would be found, that as much might be obtained by the church, and as much be paid by the farmer, without any of those dreadful evils that attended the present mode of collection. And he might tell their lordships, that from the manner in which this property was managed at present, those who were least deserving of the full advantages of it were the most rigid in exacting, and the most successful in obtaining them. It was not the estimable persons to whom he alluded before—it was not the worthy rector who lived among his flock, and devoted his time to the duties of religious instruction and the labours of private charity, who did all the good in his power, and was contented sometimes with one-third of his due, who benefitted by the present system: but it was the indifferent rector, the absent clergyman, who did nothing, that exacted most, and employed persons who, in forwarding his interests, often outraged the best feelings of the human heart. With respect to the remedy for the evils of which the petitioners complained, it would be premature to enter on the consideration of it. He might, however, say, respecting what had fallen from the noble earl, about the views of a noble duke who was lord lieutenant of Ireland, that the noble earl was mistaken when he considered his noble friend (the duke of Bedford) as having formed no opinion or plan to remedy the evils of the tithe system. The noble duke had formed an opinion, and drawn up a plan, to the main principle of which he adhered to this moment. He might be permitted to add, that with respect to one mode of remedying the evils complained of, namely, by the substitution of land for tithes, it did not seem so liable to objection in Ireland as in England. The objection in this part of the country was, that by converting the clergyman into a landed proprietor, he would become too much interested in the cultivation of his estate to attend to the care of his parish; whereas, in Ireland, the clergyman had frequently no clerical duties to perform, and was regarded rather as a magistrate and a country gentleman, than as a religious instructor. He had heard with pleasure, that the noble marquis at the head of the Irish government, had taken into consideration the effects of the tithe system; and that the troubles in the south of Ireland were not considered as forming any obstacle to the discussion of the existing system, or the adoption of plans for its correction. He would, therefore, leave it for the present in the hands of government; but no time must be lost in entering on the investigation of the subject. Parliament would not do its duty if it allowed it for a moment to escape out of their sight; for though there were confessedly obstacles to the accomplishment of the remedy, these obstacles were as nothing when viewed in comparison with that tremendous state of violence and crime now organised in Ireland, and which tended to the very subversion of the elements of society.

The Earl of *Limerick* said, that though the present discontents of Ireland were not all to be ascribed to the tithe system, yet that system bore a great share in causing them. The other causes were various, but he would only advert to one of them; namely, the abominable mode in which the excise regulations were executed for the prevention of smuggling. The proceedings of the excise in this respect were sufficient to barbarize any country—to disorganize the army, and to demoralize the peasantry. The military were employed, under the conduct of the revenue officers, in scouring the country by night, and fighting with bodies of men whom the harsh mode of enforcing the revenue laws rendered ferocious and desperate. The House should not delay for a moment to investigate evils of such magnitude, and apply the proper remedy. The hardships which they had occasioned, combining with other causes, had given birth to a rebellion of the most atrocious nature, beginning in plunder, and ending in the assassination of some of the most respectable characters of the country. Those who knew the country, would not hesitate to say, that the tithes, which were intended to support a Protestant establishment, acted, by the manner in which the collection was carried into effect, as a bounty for the maintenance of the Catholic religion in Ireland.

The Earl of *Blesinton* said, that the tithe system was as obnoxious to the great body of Protestants in the North, as it was to the whole of the Catholics in the south of Ireland. The conduct of those who held college livings was particularly objected to, and the statutes of the college should, he thought, be enforced against them. These gentlemen remained, till good livings fell vacant; and then, in their old age, when they were unable to perform their duties, they came down, with 14 or 15 children, to enjoy emoluments for which they did nothing.

Ordered to lie on the table.

HOUSE OF COMMONS.

Friday, March 15.

Breach of Privilege—Treasury Circular.] Lord *John Russell* rose, to call the attention of the House to a circumstance which very nearly concerned their rights and privileges. An hon. member had received a letter, requesting his attendance in his place in parliament, to resist the dangerous practices of lord Althorp, lord Normanby, and Mr. Creevey. There was also a sentence in the same letter which contained these words:—"the Opposition in despair of being able to get into office, are determined to break down the means of administering the affairs of the country." This letter was signed "C. Arbuthnot." Seeing the right hon. secretary to the Treasury in his place, he was anxious to introduce the subject, being convinced from his character, that his signature to this letter must be an atrocious forgery. He felt convinced that the right hon. secretary would disavow having written such a letter, and he now gave him the opportunity of contradicting it.*

Mr. *Arbuthnot* said, that in consequence of what had fallen from the noble lord, it became necessary for him to inform the House, that the expressions just quoted to them had been written by him. They were contained in a letter which was entirely of a private nature; and although he had no hesitation in avowing himself to be the author of it, he could not admit that the expressions in question would bear the construction the noble lord had

* The following is a copy of the said letter:—

"[Private.] — Downing-street, 8th March, 1822.—My dear Sir; On Wednesday next, the 13th instant, a motion is to be made by lord Normanby, to abolish the office of one of the postmasters-general, and on the 14th, the day following, Mr. Creevey makes a similar motion against the board of control.—In this manner the just and necessary influence of the Crown is from day to day attacked; and as other motions of a similar nature are to be made by lord Althorp, &c.; it will be quite impossible for any set of men to conduct the government of this country, unless practices of this kind shall be successfully resisted.—It seems as if the Opposition, in despair of coming into office, had determined to break down the means of administering the affairs of the country; and as this subject is become most serious I have no scruple in apprizing you of what is now passing, with the hope and expectation that you will think it necessary to attend, and thus to lend your aid in stemming the torrent of such dangerous innovation. Your's, most sincerely,

"C. Arbuthnot."

placed upon them. He meant no personal reflection whatever upon those individuals; but had applied his observation to the motions which they were in the habit of making and not to their motives. He was as much attached to the preservation of the privileges of that House as the noble lord, but he could not for a moment admit that he had done any thing in violation of those privileges. He had said nothing in that letter but what he would state in his place in that House.

Lord *Normanby* said, that feeling he had been actuated only by a conscientious sense of duty in the line he had pursued, he could not help thinking it extraordinary that any member should dare to impute to him a wish to support dangerous doctrines, or to undermine the best interests of the country, for having introduced a measure which had twice received the sanction of that House.

Mr. *Arbuthnot* repeated, that there was nothing in the letter which he had written to bear out the construction put upon it.

The Marquis of *Londonderry* had hoped, that the freedom of debate, both in and out of parliament, was sufficiently understood to allow a latitude of discussion upon public topics. The gentlemen opposite might have only one opinion of the innocent tendency of their measures; yet others might think quite the reverse of their effect. It was too much to say that one set of gentlemen should, in the discharge of what they deemed to be their duty in parliament, adopt a particular course, and yet complain that others who differed from them should deliver their opinion upon that course in the way which it struck them. Still more extraordinary was it, that such a proceeding should be brought forward as a breach of privilege. He trusted that they still lived in a land of freedom, and that neither he nor his friends were to be gagged by the gentlemen opposite, who threatened to visit with a breach of privilege any man who ventured to express an opinion upon the tendency of their measures.

Lord *Normanby* said, that he had not seen the letter alluded to, but if it contained an imputation upon him and others of being actuated by a desire to undermine the best institutions of the country, it was wholly unwarrantable.

The Marquis of *Londonderry* said, it did not follow, because the writer of a letter entertained an opinion that the proceedings of others were calculated to produce a certain effect, that, therefore, they intended to produce it.

Colonel *Davies* said, the letter contained the words,—"the Opposition, despairing of coming into office, had determined to do so and so." This he conceived was a direct imputation.

The Marquis of *Londonderry* observed, that it was no unusual thing to charge gentlemen with an anxiety to attain, or a despair of attaining office.

Mr. *Arbuthnot* said, he entertained the greatest personal respect for some of the gentlemen opposite, and he believed they knew it; at the same time, he confessed he disliked some of their measures; and entertaining that dislike, he did not feel that the privileges of the House prevented his expressing it.

Lord *John Russell* said, he should be quite ready to drop all farther notice of the letter, if the Speaker would say, that it was competent for any member, consistently with the privileges of that House, to say, that one set of gentlemen, despairing of being able to get into power, were endeavouring to undermine the constitution.

The *Speaker* said, that the House must see the difficulty in which he was placed, in giving an opinion upon the construction of a phrase drawn from a letter, and applied so as to affect the reputation of individuals, which letter was not itself before the House. The inconvenience of endeavouring to discuss a case of privilege, under such circumstances, was obvious. In the first place, to impute a despair of attaining office to any body, was an imputation which did not come within the prohibition of the orders of that House; but the remainder of the phrase, if uttered there, would be strictly unparliamentary, and most disorderly. To impute an unworthy, much less an unconstitutional motive, to any hon. member in the exercise of his public duty was certainly unparliamentary. But then, again, if the imputation were levelled only at the tendency of measures, and not at the intentions of the individuals who had originated them, the case would be different; still it was impossible for them to consider the construction of the phrase without having the actual words before them. An opinion might be wrong and mistakenly applied, but still not unparliamentary. If the imputation were directly applied to individuals, there could be no doubt that it was most outrageously disorderly. Not hav-

ing read the words which were animadverted upon by the noble lord, he was utterly incapable of giving an opinion upon their character; and in the absence of the letter, the House must perhaps be struck with the dangerous consequence of embarking in a debate upon them.

Mr. *Arbuthnot* conceived, that any opinion expressed in a private letter could not be considered a breach of the privileges of that House. The letter in question was a private letter, and so private was it, that he declared, upon his honour, he had kept no copy of it. In writing that letter he had not the slightest intention of giving offence in any quarter; but still if the act was a wrong one, he was ready to bear the full responsibility of it. Who had made the letter public he could not tell. If in writing the letter he had acted wrong, he was the last man to shrink from the responsibility attached to his conduct.

Mr. *Wynn* observed, that this was the first time he had heard the Speaker called upon to decide upon a question on an hypothetical case. The letter in question was certainly a private communication, and could not be construed into a breach of privilege. Suppose some gentleman opposite were to write to a friend, and state that the measures pursued by ministers were likely to overturn the liberties of the country—would any person contend that this was a breach of privilege? If such a communication were to be so considered, he believed they would have very many breaches of privilege to decide upon. There was not on the records of parliament a proposition more monstrous, since the time when the House had disgraced itself beyond redemption, by expelling some, and committing other members, who refused to give credit to the Popish plot in the reign of James the First.

Sir *R. Fergusson* said, the right hon. gentleman had looked at this transaction as if it had been a single letter sent to a private individual. But, what would the House say, if it turned out to be a Treasury circular, sent to absent members, to induce them to attend and give their support to ministers. This, he believed in his conscience, to be the fact.

Mr. *Wynn* said, his right hon. friend had stated, that the letter was a private one, and that he had kept no copy of it.

Mr. *George Lamb* declared his surprise, that after the satisfactory explanation and disavowal given by the right hon. secretary to the Treasury, the right hon. gentleman (Mr. Wynn) should have revived the question of privilege; and he was still more astonished to find that the right hon. gentleman, in his speech, had begged the whole question, and uttered a violent tirade on the indelicacy of intruding upon private correspondence. The whole question here was, whether the letter was or was not a private letter.—[Mr. Arbuthnot, "I repeatedly said it was."]—He could assure the right hon. gentleman that he did not mean to gainsay his explanation, which he considered perfectly satisfactory. But he must repeat his astonishment, that a right hon. gentleman who took such excessive care of the forms and privileges of that House, should have thought proper, after the explanation which had been given, to re-open such a discussion.

Lord *J. Russell* said, he had not called the letter a breach of privilege; but had said, that it was a matter which nearly concerned the privileges of parliament; inasmuch as the writer had imputed unworthy motives to members of that House. The right hon. member had disavowed any such imputations; and he (lord J. R.) was satisfied. He had made no motion—he had no motion to make.

Lord *Normanby* said, that as all personal allusion had been disclaimed, he would be the last man in the House to follow up the matter any farther.

ARMY ESTIMATES.] The House having resolved itself into a committee of supply, to which the Army Estimates were referred, lord Palmerston moved, "That 236,330*l.* 0*s.* 1*d.* be granted for the Miscellaneous Services of the Land Forces in Great Britain and on the stations abroad."

Mr. *Hume* said, the charge for the table kept for the officers of the foot and life-guards at St. James's Palace was 6,000*l.*; he should propose to reduce it to 3,000*l.* It was contrary to general practice to support such a table; besides, the extravagance with which the table at St. James's was supported, would injure the army, and lead the officers into profuse habits. The next charge he would reduce was the riding-house at Pimlico. When the sum of 3,000*l.* was already paid for riding masters, the riding-house might be dispensed with. The 60*l.* for inspecting the regimental colours might likewise be saved. The object was to see the inscriptions put on, which, to the glory of the army, they bore upon

their colours, such as Vimiera, &c., and properly spelt. Surely the commander, though not as good a judge of heraldry as sir G. Nayler, might be trusted with the superintendence of the inscriptions on the colours of his regiment. There was also 50*l.* for inspecting great coats: this was unnecessary. A large reduction might also be made in the barrack expenditure. Why pay for temporary barracks at Maidstone and the Isle of Wight, when good substantial brick barracks were unoccupied in so many parts of the country? The Maidstone division might be well accommodated, he was informed, at Chatham and the vicinity. He could not see why 60,000*l.* or 70,000*l.* should be charged for the recruiting service. Why were paymasters and surgeons to be kept up, perhaps for 10 or 15 men? He should propose a saving of 8,500*l.* out of that head of expense. On this ground a saving of 25,000*l.* might be made. He would, therefore, move that the present vote should be reduced to 211,339*l.*

Sir *C. Burrell* said, that the officers of the guards were not paid so well as any other officers in the British army, and contended that they were therefore entitled to the small consideration of the table at St. James's. If an ensign in the guards were to sink the purchase-money of his commission in an annuity, he would get a much higher rate of pay than he received in virtue of his commission. With regard to the table which was kept for the officers of the guards, when the hon. member talked of the luxuries with which it was supplied, he was quite in error: for he believed the officers were rather kept on short commons than otherwise. There were subalterns in the guards of 16 and 17 years standing, whose pay would do no more than cover the expense of their regimentals.

Sir *H. Hardinge* said, that the table at St. James's was a privilege which had been attached to the guards ever since their first formation. Whenever allowances had been either first granted or increased to other regiments, it had always been said to the junior officers of the guards— "You must be satisfied, you have the St. James's table." If the subalterns in the guards were to be paid the same allowances as subalterns in the line received, they would have to take 30,000*l.* instead of 18,000*l.* being a difference of 12,000*l.*: one half only of this difference, or 6,000*l.* was allowed for their table. The hon. member had called this particular allowance an extravagant provision; but he must protest against this system of aspersion on the purity and fairness with which the administration of military affairs was conducted. They were aspersions which were not borne out by facts. Let the House look back to the last session of parliament.

Mr. *Bernal* said, the gallant officer ought not to be surprised, if among the multiplicity of objects which his hon. friend's most beneficial system of retrenchment embraced, there should be some upon which his information was not quite correct. The zeal and ability of his hon. friend were proved on too many occasions to be at all affected by passing errors of this kind. For his own part, he did not view with the same objection as his hon. friend, the establishments of the table in question.

Colonel *Davies* said, he should feel it necessary to move an amendment. He should propose to reduce the vote; first of all, by 18,000*l.*, because that was the excess above 1819; and secondly, by 1,000*l.*, the cost of the riding establishment at Pimlico. He would move, by way of amendment, that the vote should be 217,339*l.* 0*s.* 1*d.* being less by 19,000*l.* than the sum originally proposed.

After some further conversation, the two Amendments were severally negatived, and the original resolution agreed to. On the resolution, "That 96,848*l.* 2*s.* 1*d.* be granted for the Charge of General and Staff Officers, and Officers of the Hospitals,"

Lord *Palmerston* observed, that one major-general had been reduced in Guernsey, and two in the colonies; considerable reductions had also been made in the medical department. It was also intended to make some further reductions in the colonial establishments.

Colonel *Davies* objected to the expense occasioned by employing district quarter-masters-general. They were, with an active army, of great service, but their duties in England were perfectly insignificant. The colonial staff in the Leeward and Windward Islands would also admit of a great reduction.

Mr. *Hume* thought the country had a right to expect a much larger reduction. What was the necessity of keeping up four district assistants to the quarter-master-general, when there were a quarter-master-general and three assistants at

head quarters? In 1792, we had one district assistant, and at head quarters only the quarter-master-general and his deputy. Why were there two inspectors of clothing? He also observed six aides-de-camp to the king. Were they on the staff or on the household? In 1792, he saw no such thing, so that if they were then kept up, they were paid from the civil list; and he should propose that the same thing should be done now. He also wished to know why the chaplain-general should not be reduced? In 1796, this establishment had begun, at the expense of 388*l.* a year, for the chaplain-general. He had now 800*l.* a year, an assistant, and three chaplains to the forces, making an expense of 1,776*l.* a year. He had never been able to find what the chaplain-general did. It was said that he examined the qualifications of the chaplains; but, as the bishops would take care not to ordain improper persons, this labour was thrown away. In the colonies, he saw a great field for reduction. In Canada there were four quarter-masters-general, two aides-de-camp, and two secretaries. One-half might be reduced. In Jamaica, Gibraltar, and the Cape of Good Hope, there were the same establishments all in duplicate, which admitted of the same reduction. By reducing the items to which he had adverted, the country would gain 12,500*l.* He would, therefore, move that 84,348*l.* be granted instead of 96,848*l.*

Lord *Palmerston* said, that in 1792, there were six aides-de-camp to the king on the staff, who were paid at a higher rate than at present. The hon. gentleman had greatly underrated the expense of the staff in 1792. He had totally omitted sums paid for extraordinaries and contingencies, and had taken the actual estimated expense. The noble lord defended the necessity of having proper persons to inspect the clothing of the army. As to the chaplain-general, a man might be very respectable; but if there was not some person to see that he performed the duty for the army in the way which was contemplated by the legislature, the public money would in some instances, be uselessly expended. The chaplain-general had to correspond with all the stations abroad, and the garrisons at home; and he had no person but his deputy to assist in the duties of his office, and in making up his various accounts. With respect to the district quarter-masters-general, they were not, as had been asserted, useless. The hon. gentleman was constantly proposing reductions, but it was done in so vague a manner, that it was impossible to understand the grounds on which he proceeded. If an item of 2,000*l.* was called for, he immediately proposed one-half the sum; if there were two officers belonging to any department, he insisted, without hesitation, that one was enough. He undoubtedly had a right to state his opinion; but he must not feel angry if the House did not think that his mere *dictum* was sufficient to convince them of the usefulness or wisdom of his propositions.

Mr. *Ellice* complained of the manner in which the estimates were laid before the House. The House ought to be made acquainted with the various emoluments derived from the public, in any other shape, by individuals whose names were brought forward in those annual grants. Gentlemen would then have an opportunity of judging whether individuals were too highly or too moderately remunerated. It would, in that case, be matter for consideration, whether the noble lord, who was now governor of Canada, who received in that situation 4,500*l.* a year, who had, besides, the profits of a regiment, and netted altogether about 9,000*l.*, was sufficiently or extravagantly paid? The same question would arise with respect to the governor of Barbadoes. Much had been said of the expenses of the colonies, but we had brought them into the situation in which they were, and could not now leave them without protection. But we ought to know what they exactly cost. They were taxed and severely; and it was not fair to say that they did not contribute to their own protection, merely because their contributions were applied by us to other purposes. The old 4½ per cent duties were applied, for instance, to the pension list of England. Demerara paid four or five sinecures of 5, 6, 7, or 8,000*l.* a year, to persons who had never seen Demerara. The system required revision. St. Lucie, too, contributed 3,000*l.* a year to the governor. It was the duty of the House, with unsparing hand, to cut down the expenditure.

After some further conversation, the committee divided: For the amendment 38. Against it, 109. The original resolution was then agreed to.

List of the Minority.

Benyon, B.	Bernal, R.

Barrett, S. B. M.	James, Wm.
Blake, sir F.	Lambton, J. G.
Bury, visc.	Lennard, T. B.
Compton, S.	Moore, P.
Concannon, L.	Maberly, J.
Crespigny, sir W. De	Maberly, J. jun.
Davies, col.	Normanby, lord
Ellice, E.	O'Callaghan, col.
Fergusson, sir R.	Robinson, sir G.
Griffith, J. W.	Robarts, A. W.
Guise, sir W.	Robarts, col.
Hutchinson, hon. C. H.	Ricardo, D.
	Smith, R.
Hamilton, lord A.	Wilson, sir R.
Hobhouse, J. C.	Wood, ald.
Hume, J.	TELLER.
Johnson, col.	Bennet, hon. H. G.

Mr. *Maberly* recommended his hon. friend (Mr. Hume) to abandon the useless task of disputing the estimates, item by item, since all his exertions were rendered unavailing by the overwhelming majorities of ministers. He entreated his hon. friend not to exhaust his own strength and that of his friends, night after night, but to propose at once a reduction of taxation to the amount which he judged fair and reasonable, and then to leave the country to decide between him and ministers. His hon. friend had undoubtedly done more good for the country than any man who had sat in parliament for the last twenty years; but still he could not help dissuading his hon. friend from pursuing a system, which the determination of ministers not to make any effectual reduction of the public expenditure, rendered wholly unavailing.

Mr. *W. Smith* trusted the hon. member for Aberdeen would persevere in a course, in which he had already succeeded to an extent which must have surpassed every man's expectations.

Mr. *Hume* expressed his determination to persevere, notwithstanding the discouraging opposition he had to encounter.

Mr. *R. Smith* said, he understood that prince Leopold, had, with a proper consideration for the distressed state of the country, expressed a desire to have his income reduced to the same scale as that of the royal dukes. He was sure the country would feel the propriety of the step which had been taken by his royal highness; and he wished to ask the noble lord, when he intended to make this important communication to the House?

The Marquis of *Londonderry* said, he had received no such communication from his royal highness, and was perfectly at a loss to know from what source the hon. gentleman had obtained his information.

On the resolution, "That 14,512*l.* 5*s.* 5*d.* be granted for the charge of the office of the Commander-in-chief,"

Mr. *Hume* said, he thought the pay of the commander-in-chief too great. Since the peace it had been raised from nine to sixteen guineas a day. He thought his royal highness ought at least to come back to the footing of the war. He did not undervalue the services of the royal duke, but his object was, to reduce the pay of all field marshals. There were three secretaries receiving salaries of 2,000*l.* 600*l.* and 365*l.*; upon which some reduction ought to be made. Connected with the establishment was a chaplain, which was purely a nominal office, and the clergyman who held it also held two other offices. Upon the whole sum, he should propose a reduction of 3,656*l.*

Lord *Palmerston* said, the pay of the commander-in-chief was the military pay attached by regulation to the rank of field marshal. In point of mental exertion, and strict attention to the duties of his office, it was impossible for any public servant to discharge his duty more faithfully than his royal highness, and he was persuaded the House would not think his services overpaid. With regard to the official establishment of the commander-in-chief, there was not a more important branch of the public service than that which was discharged by his secretaries, and he was persuaded that this department would be crippled and rendered inefficient if the amendment were acceded to.

The Marquis of *Londonderry* said, he should not have troubled the House upon the question if he had not seen the hon. member for Aberdeen attempting to take an odious and unfounded view of it. He really thought it rather too much to contend that the commander-in-chief was so inefficient a field-marshal, that he ought to be shorn of his emoluments, and, in a manner, disgraced in the service by being put upon half-pay. Why did the hon. member for Abingdon wish the hon. member for Aberdeen to come down with a lumping vote instead of going into detail? Did he do it because the hon. member's details would not bear examination? because he saw him going on with one blunder after another, night after night?

The hon. member for Abingdon wished to see the hon. member for Aberdeen come down with the same kind of lumping proposition which he himself had made in a former session, when he had endeavoured to persuade the House to a reduction of 3,000,000*l*. a year. However convenient the gentlemen opposite might find it to go into detail on some occasions, the hon. member had not proved it on this occasion, for his remarks on the commander-in-chief's office were such as a child might answer. But the gentlemen opposite did not seem to be agreed upon their mode of proceeding. He trusted that in future they would consult about their tactics elsewhere, for the time of the House might be better occupied than in listening to consultations whether they were to proceed to details or to oppose in the lump. Whichever way they opposed, his majesty's ministers would be ready to meet them, not only in numbers, but in fair argument. With respect to the pay of the commander-in-chief, he considered that there was no officer who better deserved the remuneration which he received from the public, whether with regard to his general services, or that devoted attention which he had so long paid to our late venerable sovereign. Would it be fit, after wasting his health in the public service, that he should, at this period, be cut off from that allowance to which his services so well entitled him? Taking all the circumstances, he did not think that a more unwarranted attack could have been made than on the moderate remuneration given for the valuable services of the commander-in-chief.

Mr. *Maberly* could assure the noble lord he had no intention of making an attack either upon the commander-in-chief or his secretary. All that he wished to do was merely to keep the noble lord to the recommendations of his own committee. This the noble lord had not done; and it was not fair to avoid the merits of the question by throwing out insinuations about lumping. If the noble lord would go into a committee, he would challenge him upon every item. He had not found fault with the commander-in-chief. No man was more ready than he to wish, that not his royal highness only, but every public officer who did his duty, should be paid, both in money and in honour. If they would separate the allowances of the commander-in-chief, he would have no objection to vote for them.

Sir *J. Shelley* fully concurred in every thing which had been said of the meritorious services of the commander-in-chief, and he would not only give him the sum proposed, but would go farther, and support an increase of that sum, if such were deemed necessary; for he considered the country was in debt to his royal highness, and that it had not sufficiently remunerated his meritorious services.

Mr. *Bennet* maintained, that his hon. friend had never intended to throw out any insinuation against the commander-in-chief, or his secretary; but he had objected to an increase of pay from nine to sixteen guineas per day. He objected to it as having been too great at the time it was made; and, *a fortiori*, he must object to it now. Having the highest respect for the commander-in-chief, and valuing his great services much as he did, he still felt bound to say, that the proposed reduction ought to take place. He would make the same objection if he were his brother. For the secretary, also, he had the most sincere respect, and he considered him a most worthy and efficient officer: but when he recollected that sir W. Gordon had filled that situation for 1,000*l*. a year, he did not think that the present secretary in the present distressed state of the country, ought to get more.

General *Gascoyne* said, that disguise the motion as members might please, it went in effect to stigmatize his royal highness, for it stated substantially that he had already received more than he deserved from the country. Now, so far from thinking that his services had been overpaid, he would rather see an increase of his allowance. As to the secretary there was no man whose long and meritorious services better entitled him to a liberal remuneration from the country.

Lord *Palmerston* said, it was a mistake to suppose that the duties of the commander-in-chief were decreased by the peace. The contrary was the fact; for those duties increased in proportion to the increase of the half-pay-list.

Mr. *Calcraft* said, he had supported the vote for the office of commander-in-chief last year, and he saw no reason to alter that opinion. As it was admitted, that we should have a commander-in-chief, he did not think we could have a more able, efficient, and impartial one than the duke of York had been. As to the pay of the secretary, he did not see why it should be below his rank. He hoped his hon. friend would

not press this amendment; for though his system of reviewing the items of the public expenditure had been productive of great good, such motions as the present would only weaken the effect of that system.

Mr. *Hume*, in reply, denied any intention of throwing a stigma on the commander-in-chief, or his secretary, by the proposed reduction. On the contrary, he thought his royal highness and his secretary were entitled to great credit for the efficient discharge of their duties.

The amendment was negatived, and the original resolution agreed to.

HOUSE OF COMMONS.

Monday, March 18.

MALT DUTY REPEAL BILL.] On the bringing up of the report of this bill,

Mr. *Huskisson* begged to express his regret at having been absent on a former evening, when some conversation had arisen upon the subject of this bill. On that occasion it was said, that the repeal of so considerable a part of the malt duty would not lead to any diminution in the price charged by the brewers for their beer; and that when the chancellor of the exchequer thought it right to remit a great portion of a public tax, the brewers had only to put the *bonus* thus remitted into their own pockets. The whole amount of the malt duty was about 1,500,000*l.*; and the proportion of that tax upon malt consumed by the brewers amounted to more than one half, or nearly 5-8ths of the whole consumption. Upon this estimate, then, the *bonus* which the brewers thought to put into their own pockets was about 800,000*l.* He could not believe that, when his right hon. friend had proposed the repeal of what was considered so heavy a burthen, he intended that the relief should be intercepted by the brewers. Nor would the people, he was convinced, submit to have such a *bonus* arrested, and diverted from the channels into which it was intended to flow. When such an interposition was avowed, he thought the House ought to interfere and prevent the intentions of the legislature from being frustrated by the brewers? What was the state of the case? The price of barley had become depressed to such a degree as to find no parallel for the last 20 or 30 years. It was, under such circumstances, considered, that a repeal of a large portion of the malt duty would, by increasing the consumption, afford indirectly some relief to the barley grower, while at the same time it went directly to remit a tax which must affect the price of beer. That being their intention it was their bounden duty not to suffer it to be defeated in any quarter. It was said, that all who could provide a barrel, or buy a single bushel of malt, might brew at home with more advantage than resort to the brewer. This was very well, where the parties were in a condition to avail themselves of it; but the great bulk of the people could not brew for themselves, and therefore ought to be protected. He believed that the repeal, under any circumstances, would be attended with this good effect; that through its operation, farmers would be induced to brew at home, and give a proportion of their beer, instead of an equivalent amount in money, to their labourers. It would also well become the licensing magistrates to inquire into the prevailing system of leasing public houses: it had been carried to such an extent, that there was scarcely a free public house to be found. When such combinations existed, and by their arrangements had the power of determining when the price of beer should be raised and when it should be lowered, it would well become the magistrates to consider the propriety of withdrawing some of the licenses from houses at present possessing them, and handing them over to free houses. But, as arrangements of this nature, however essential must be tardy in their operation, the House would perhaps see the necessity of carrying into full effect the intention of the legislature; which was, that the consumer should directly have the benefit of the repeal of the tax in the reduced price of the article, and that the grower should have the advantage of the probable increase of consumption which was likely to follow under such circumstances. If the brewers avowed that, notwithstanding the repeal, the price of beer was not to be lowered, it was fortunate that the information reached the House in time to prevent the public from being affected by that determination; for they had the power of defeating the intentions of the brewers, and compelling them to abide by the principle on which the bill was founded. If, then, the price of beer was not to be lowered, upon every principle of fairness, the legislature ought to impose a duty on every barrel of beer

made by the brewer, equal to the present reduction of the malt duty upon that amount, and to be made contingent upon the present price by the brewer—for instance, if the duty now remitted was 8*s.* a quarter upon malt, and if that quarter made 3½ barrels of beer, he should recommend the chancellor of the exchequer to impose on the public brewer an additional duty, equal to his amount of increased profit on the barrel of beer by the present reduction of the malt duty. If there ever occurred a period when, quite independent of the present reduction in the duty, the public had a right to look for cheaper beer, this was that time. Either the brewers must have been at one time great losers, or they were now receiving a disproportionate and most inordinate profit. It was not enough for the brewers to say, that the price could not be lowered because the duty was not sufficiently reduced; they must know that the reduced expense of managing their business, in keeping their horses, and indeed in every other branch of their business, quite independent of the diminution of this tax, fully enabled them to brew at a cheaper rate than formerly. But when, to all these advantages was superadded a reduction of the duty, amounting to nearly a farthing in the pot of beer, it was high time for the public to derive the advantage intended for them by the legislature. He threw out these suggestions to the house, in the event of the brewers persevering in charging the present prices he should recommend the House to adopt a resolution for the purpose of taxing the stock of the brewer, in the proportion of the amount of the repealed malt tax. He by no means intended to renew the malt-tax as a source of revenue, but to make the partial renewal for the brewers contingent upon their attempt to maintain the present price of the article.

Mr. *Calcraft* entirely concurred in the suggestion. Nothing could be more monstrous, when the legislature thought fit to ease the country of a burthen, than that the brewers, or any other great class of capitalists, should interpose and divert into private sources that profit which belonged to the public at large.

Mr. *F. Buxton* thought, that nothing could be more monstrous, than that the sum about to be reduced should be allowed to go into the pockets of the brewers. But it should be considered, that the brewers had on hand a large stock of beer made from malt which had paid the full duty; and therefore a reasonable time ought to be given them to dispose of it. If after that the brewers did not lower their prices, he, connected as he personally was with the subject, would freely stand forward to second the proposition of the right hon. gentleman.

NAVY ESTIMATES.] On the order of the day for going into a committee of supply.

Sir *Joseph Yorke* begged to call their attention to a subject which could not be deemed irrelevant. In a case where so great a service as that of the navy was concerned, he did think it right to notice to the House the late appointment of John Clarke Searle, esq., to be a Rear-Admiral of the White. It would appear to have been formerly the custom that when a gentleman, having risen in the naval service of his country to the rank of a flag-officer, chose to fill an office in the civil department of the state, he thereby abandoned the next step in his promotion. Now, there was something curious in the way in which this gentleman had passed his flag. Nothwithstanding that he had for some time filled a civil situation, he had been considered entitled to the reward which was extended to gallant officers by promotion; and not only so, but to receive it accompanied with one of the highest marks of favour which the service could bestow. But the most painful part of the story was, that just prior to this appointment, J. C. Searle, esq., had experienced a certain share of displeasure from the board of Admiralty. In fact, it had been made known to them, that a certain share of delinquency existed in the subordinate departments of the Victualling-office, and shortly afterwards an intimation was received by capt. Searle, that he should quit the chair which he then filled. To any honourable mind, conscious of its own integrity, and still more to an individual who had filled this chair for the space of 14 years—who had received, as a reward for past services, not only his own salary attached to that situation, but a pension besides, during the continuance of the war, and whose amiable lady, for amiable he had no doubt she was, had also had settled upon her a pension of 300*l.* a year, such an intimation must have been, beyond measure, painful. How surprised must such a man have been, at finding himself suddenly hurled from his

situation, by a bolt of imperial displeasure. He did not question the competency of the royal prerogative to direct this or any other dismission; but he was very sure of this, that whatever might have been the misconduct of the subordinate officers in the Victualling-department, Mr. Searle was a man of that character and honour, that he could not have been guilty of any part of it. But why was it, that a board, over which it was so proper that a naval person should preside, must have a civil officer in a brown coat and steel buttons? Why did they not take some naval officer with a naval uniform on his back? The appointment of the present chairman of the Victualling-board did seem to him to be the grossest job he had ever heard of. The present chairman (Mr. Stapylton) was first of all paymaster of the marines, then he was made a commissioner of the navy, and now he was chairman of the Victualling-board; and, at this very moment, at that board, he had under him a competent naval officer, with a salary of 200*l.* only per annum. He trusted he had now said enough to interest the House in this case. Either the dismissal of J. C. Searle, esq. as chairman, and his subsequent naval appointment were two of the most extraordinary things in the world, or the Admiralty thought the Victualling-board no better than a set of dolts and nincompoops; and in that view, wishing to provide for some one else, had removed the late chairman, and been afterwards obliged to provide for him.

Sir *G. Cockburn* rose to do justice to the gallant admiral who had been named, and to prove that his hon. friend was misleading the House on subjects with which he ought to have been better acquainted. After a minute enquiry into the state of the Victualling department, he (Sir G. C.) and those associated with him in the inquiry, had found that there was not that arrangement and supervision, nor that check on the clerks, which they considered to be necessary, and thence they came to the conclusion, that it was not desirable that the late chairman should remain at the head of the Victualling-board. But it was proper at the same time to state, that nothing had transpired that at all detracted from the honour and probity of captain Searle. When, therefore, it was thought necessary to remove him from the Victualling-board, it was thought right to do it in such a way as should neither be injurious to his feelings or to his reputation. It was usual, when a flag ship was to be given, to allow an officer of a certain rank his choice, to receive that, or to retain any civil situation which he might hold. This choice had been given to captain Searle, and he had preferred retaining his civil situation. When it became necessary, for the convenience of the public, to remove him from that situation, it was thought right to put him where he would have been had his choice been different. This was determined on, from an anxiety to prove to the world that the late enquiry, if it had demonstrated captain Searle's unfitness to preside over the Victualling-board, had proved nothing against his general character.

Mr. *Ellice* said, he had had the honour to know captain Searle for many years, and knew that nothing dishonourable could be imputed to him. He had presided during the greater part of the late war at the Victualling-board, when fleets were to be provisioned to all parts of the world, and no complaint had been made against him. But the active duties of war were very different from the duties of peace, and he who might well perform the former might be incompetent to the minute arrangements of the latter. Such was the case of the gallant admiral, and for this reason only had the late change taken place. He had called on him when he heard of the circumstance, and instead of the thunderbolt which the hon. officer had talked about, the note which removed him was couched in the kindest terms, and while it intimated that it was expedient that he should retire, thanked him for his meritorious services. He was glad that he had had an opportunity of speaking to the character of admiral Searle and to the manner in which he had been removed.

Sir *I. Coffin* thought there was not a better man than captain Searle in the service, or one who had more ably performed the duties of his station.

Mr. *Croker* begged to state, that the first inducement to put the gentleman now at the head of the Victualling-board in the situation which he filled, grew out of the great ability with which he had filled inferior offices. He had been chosen because no other man of his rank stood so high in the estimation of his superiors. He had also been preferred in an economical point of view. Two commissioners from the navy board, of which he was one were to be provided for. By the course

which had been taken, their services had been transferred to the Victualling-board, and thus a saving of 1,400*l.* per annum was effected, while the business of that board was performed in a better manner.

Sir *J. Yorke* had never meant to impute any delinquency to captain Searle. He only thought the board had been too hasty in removing him, and that having broken his head in the first instance, the new appointment was given him by way of a plaister.

The House having resolved itself into a committee, sir John Osborne moved, "That 64,899*l.* 18*s.* 6*d.* be granted for defraying the salaries and contingent expences of the Navy office, for the year 1822."

Mr. *Hume* said, that in 1792 the expense of this department was only 11,788*l.* There were then seven commissioners of the navy; now there were eight. The reduction in this vote, as compared with what it was in the last war, was only 10,000*l.* He thought it might be much reduced. Surely it was too much that, in 1822, this department should cost 64,000*l.*, when in 1792 it was not 12,000*l.* Even in 1796 the estimate for the Navy-office was only 45,000*l.* In this department a reduction might fairly be made to the extent of 20,000*l.* He hoped ministers were not prepared to say that this was the final peace establishment of the navy.

Mr. *Croker* said, that the hon. member would find, on inspection, that no less than three commissioners of the Navy at the board, and two at the ports, had been reduced since last year. The reports on naval revision had recommended that the business of the various departments should be divided between three separate committees, and those three committees now consisted of only two members each. If any one of them could at a future time be properly merged in either of the others, he pledged himself that it should be done. It was true, that the saving by the reduction of clerks was in a degree counterbalanced by the superannuation allowances; but it was not denied that those allowances ought to be given, and they had been calculated, not according to the provisions of an existing act, but of a prospective bill that was about to be introduced into parliament. This was a proof of the economical spirit with which the arrangement had been concluded. Last year there were in the Admiralty-office, Pay-office, Navy-office and Victualling-office, 317 clerks; at present there were only 263 clerks. It was not easy to calculate the expences of them; as their salaries depended much on length of service; but, supposing that the average was ten years, the charge last year was 108,000*l.*, and this year only 74,000*l.* The whole saving did not come home to the public, because a modicum was given to those dismissed as superannuation allowances; but if by accident vacancies occurred, those vacancies would be supplied from the individuals to whom those allowances were given. The elevation of persons from the lower to the higher offices by routine had formerly created some difficulty and much expense; in this respect a beneficial change had been effected. In the article of clerks he was persuaded that there was little hope for further reduction.

Sir *B. Martin* was persuaded, that less than two members could not get through the business before each committee, and contended that the whole reduction in the navy estimates was 989,000*l.* as compared with last year. He hoped that this would be borne in mind while the other side was quibbling about trifles.

Mr. *Bernal* denied that any of his hon. friends had been guilty of quibbling. But for the exertions of the hon. member for Aberdeen, and a few others, one tenth of the savings now proposed would not have been made.

Mr. *Hume* said, that in 1792 the offices connected with the navy cost only 58,000*l.* and last year exceeded 185,000*l.* The reduction this year was 33,000*l.*, so that the charge upon the public was still 152,000*l.* The Victualling-office, in 1792, cost 36,000*l.*, and the present estimate was no less than 96,000*l.* Comparing the whole charge for the navy, it was last year 2,484,000*l.*, and this year 2,453,000*l.* so that the actual reduction in what he might call the live establishment was only 31,000*l.*, under the head of "ship building," 400,000*l.* had been saved in one item: under the head of "improvements in the dock yards," the reduction was from 424,000*l.* to 154,000*l.*, but for neither of these diminutions was any credit due to government. He highly approved of the mode of filling up vacancies from superannuated officers, and he hoped ministers would be as good as their word. If they were, he would give them full credit for the whole practical result—more credit than for any thing else they

had done with regard to the navy estimates. He did not concur in the excellence of the new scheme of promotion. It would not be governed by merit in the individual, but by parliamentary and private influence. He thought promotion by seniority preferable, and referred to the artillery, engineers, and marines, where the advance of officers was so regulated, and where the best officers were to be found.

Mr. *Croker* said, the salary of the office which he now held, had been 800*l.*, and the fees 5,000*l.* It had been supposed worth 12,000*l.* in 1792. The salary had been definite, but the fees enormous. Now, the fees were more equitably distributed among all the classes in the office. The hon. member for Aberdeen had stated, that there had been no adequate reduction in the clerks of the Admiralty, since 1793. But what was the fact? In 1813, the number of clerks was 55; in 1814, 52; in 1815, 43; in 1816, 29; in 1817, 29; in 1819, 28; in 1820, 27; in 1821, 26; in 1822, 24. The fact was, that the clerks had been, since 1813, reduced from 550 to 262. The resolution was agreed to. On the resolution, "That 34,817*l.* 10*s.* be granted for the expence of the Victualling Office,"

Mr. *Hume* asked, what occasion there was for seven commissioners in this office? At least two of them could be reduced. He, therefore, moved an amendment to substitute 33,217*l.*, being a reduction of 1,600*l.*

Sir *G. Cockburn* said, that the accounts had never been minutely inspected, while one clerk checked the accounts of another. The arrangement was now new-modelled, and it had been found necessary to charge the commissioners with a more minute inspection of the accounts; and therefore, the reduction which had been contemplated, had not taken place. After a short conversation, the committee divided; for the amendment 30. Against it 66. The original resolution was then agreed to.

List of the Minority.

Blake, sir F.	Hume, J.
Bright, H.	Hutchinson, hon. C. H.
Bennet, hon. G.	Legh-Keck, G. A.
Crespigny, sir W. De	Leycester, R.
Crompton, S.	Monck, J. B.
Davies, col.	Moore, P.
Evans, W.	Martin, J.
Fleming, J.	Price, R.
Griffith, J. W.	Pares, T.
Gurney, R. H.	Philips, sen.
Rice, T. S.	Wood, alderman
Rickford, W.	Wilkins, W.
Robinson, sir G.	Williams, sen.
Smith, W.	Whitmore, W.
Smith, R.	TELLER.
Sykes, D.	Bernal, R.

On the resolution, "That 25,269*l.* 6*s.* 2*d.* be granted for the salaries of the officers and contingent expences of Deptford yard, for the year 1822,"

Mr. *Bernal* called for an explanation of the difference which appeared between the sums voted for the navy in the years 1817, 1818, 1819, and the sums actually expended. In those years, the sum actually expended, had, taking all the items, exceeded the sum voted, by more than a million sterling. He did not mean from that to infer, that there had been any thing improper in the management, but it was a proof of the confused state in which the accounts were kept. Another thing was, the expence of superintending the naval dock-yard and arsenals. If the number of clerks was reduced, he could not see why the number of those overseers might not be reduced also. Of these overseers there was a numerous class, called sub-measurers, who received 180*l.* a year, for taking charge of companies of about 25 artificers each; and, as if this superintendance was not enough, the work done by the artificers had again to be measured by measurers. Now, he could see no use for these two classes of persons, who were just, in fact, one set of clerks paid for being a check upon another. While this establishment of overseers had been kept up, both in numbers and in salaries, the number of artificers had not only been diminished, but their wages had been reduced from 2*l.* 5*s.* to 1*l.* 2*s.* 6*d.* The men complained not only of this, but that they were not paid according to any fixed rate, some of them being occupied in [illegible] to pieces old useless timbers, [illegible] they earned only about 15*s.* a [illegible] Another division, with which there was room for finding fault, was, the scale of superannuations. Was it just, that a civil officer who had a salary of 200*l.* a year, should retire with full three-fourths of that salary, while the artificers, who were at least as useful, worked far harder, and earned only about 60*l.* a year, should have no more allowance than 20*l.*? Was it fair that they who had salaries out of which they might be expected to save something, should retire upon three-fourths of their salaries, while

they who could barely live upon their incomes were allowed only one-third? There was one other matter to which he wished to call the attention of the committee, and that was, the putting of circular sterns to the ships—an operation which occasioned considerable expence, while it diminished the capacity of the ship for carrying guns. The circular stern, he understood, cost four times as much as the square stern, while there were differences of opinion as to which was the best. There was one other case which required explanation: a clerk, who had a salary of 250*l.* at Chatham dock-yard, had been brought up to the Navy-office, and employed on the accounts at 10*s.* per day. He had been so three years ago, and he had not yet returned to Chatham, although he had been in the receipt of his salary there all the while. There could not be a more striking instance of inconsiderate expenditure.

Sir *G. Cockburn* would assure the hon. member, that the points to which he had called the attention of the committee, had already come under the notice of the commissioners; and one of the chief objects of their last survey had been, how they were to reduce the overseers. That principle had been recognized, and would be acted on without delay. With regard to the circular sterns, they had been decided on, in consequence of their superior strength. The first vessel that had been so fitted, had been sent round Cape Horn, where she had been found to resist the sea much better than the square sterned vessels.

Sir *B. Martin* said, that with respect to the clerk who had been taken from the dock-yard to assist in the Navy Pay-office, there was not a more active or meritorious officer in the service. He was, however, to be returned to the dock-yard. He had not heard any of the complaints on the part of the artisans, to which the hon. member had alluded. On the contrary, he had had letters of thanks from the men, for the manner in which they had been treated; for, though they did not now earn as much as formerly, yet they were all kept up; and if the reduction were carried on with respect to them, not fewer than 24,000 men, would be exposed to starvation. As to the difference in the estimates, he was not now prepared with those accounts to explain them; but he was satisfied they could be satisfactorily explained.

Mr. *Hume* said, that in many departments of the dock-yards, the saving had been really nothing. The charge in the present year was 202,000*l.*; last year it had been 210,000*l.*: while in 1792, the whole charge had been but 25,000*l.* A master carpenter, who in 1792 had been paid 200*l.* a year, now received 650*l.* The pay of the master shipwrights had risen in an equal degree. A storekeeper, standing in 1792 at 200*l.* a year, now took 600*l.* One clerk after thirty years' service in Portsmouth yard had retired upon an allowance of 300*l.* a year. Why, a post-captain did not get so much. A master artisan retired upon 190*l.* a year. A lieutenant in the navy took less. A clerk of the check at Chatham had been superannuated upon 450*l.* a year; another from Portsmouth upon a like allowance; and a blacksmith from Deptford at 195*l.* Such allowances were excessive, and ought to be reformed.

Sir *G. Clerk* said, that the subject would certainly come within the scope of the chancellor of the exchequer's bill. The board of Admiralty was prepared to act up fully to the recommendations of the committee of finance, and to place the whole of the dock-yards upon a more economical, and, he trusted, not a less efficient footing.

On the resolution, "That 9,540*l.* 18*s.* 5*d.* be granted for the salaries and contingent expenses of the out-ports for 1822,"

Mr. *Hume* wished to know why a naval officer had been removed from Deal, where there was much to do, to Harwich, a port where there was comparatively nothing?

Sir *G. Cockburn* said, that he was not, in fact, an officer of the navy, but a storekeeper, who got the title of a naval officer from his employment. He was useful in Harwich for supplying with stores the cruizers for the north sea.

Sir *J. Yorke* believed there was more in this appointment than met the eye. With Sheerness so near, there was no necessity for the delivery of stores at Harwich. Perhaps the appointment could be explained better by the fact that Harwich had the honor of returning, as one of its representatives, a chancellor of the exchequer.

Mr. *Hume* said, he understood this officer was one of the corporation of Harwich. He agreed that there was a strong suspicion of parliamentary influence being

connected with this situation. Deal, from whence the officer had been taken, sent no member to parliament. He was determined to propose a reduction from this vote. There were two officers at Leith. There was a chaplain at Pembroke, with 400*l.* a year; and there was a transport establishment at Cowes, which cost 368*l.* a year, independent of that at Portsmouth. One of these establishments he thought quite sufficient. He should propose the reduction of the establishment at Harwich, of the officers at Leith, of the establishment at Cowes; and, he should propose a reduction of the chaplain's salary. The total of the reductions was 1,568*l.*, and he moved an amendment, reducing the vote by this sum.

After a short conversation, the original resolution was agreed to, without a division. On the resolution, "That 964,000*l.* be granted for half-pay to naval officers,"

Mr. *Hume* complained of the number of promotions which had taken place since the peace. At the close of the war, 1,000 midshipmen had been promoted, as it was understood, for war services, and promotion had gone on increasing ever since. Since the year 1816, upwards of 428 midshipmen, and 130 lieutenants had been promoted, and the promotion of post captains, rear admirals and vice admirals, had gone on in proportion. The total of promotions since the peace, was 797. He objected also to the principle of the promotions which took place at the late coronation. He was prepared to show, that commanders had been promoted who were low down upon the list, in preference to others higher up. This was quite unnecessary, and under the circumstances, too, of what could only be regarded as a pageant. It was impossible that talking about the present distresses of the country could produce any relief, while expenses were so needlessly increased. He knew that in these promotions there was a parliamentary influence exerted on both sides of the House, and he hoped ministers would resist it altogether. He then contrasted the number of officers on half-pay at the close of the war and at present, and stated that the number had been increased for the sake of the patronage.

Sir *G. Cockburn* vindicated the principle on which the promotions were conducted, and stated that at the coronation, the commanders who were employed, were selected without any regard to family influence, but solely on the ground of length of service.

Mr. *Ellice* asked, whether the country was reduced to such a state of distress that a young man, on his return home after 15 or 16 years of arduous service abroad, was to be told it had no longer the power to remunerate him? He had heard with great pain several of his hon. friend's motions that evening. To the reductions which his hon. friend had proposed in the civil expenditure, he did not object; but he could not support the retrenchments which he wished to make in this department. The navy was already reduced much lower than sound policy warranted.

Mr. *Bennet* contended, that his hon. friend had not objected to a system of fair promotion, but to a system of excessive promotion that was founded on a principle of favoritism.

The resolution was agreed to. The chairman then reported progress and asked leave to sit again.

HOUSE OF COMMONS.

Wednesday, March 20.

GRENADA—PETITION FOR A REDUCTION OF TAXES.] Mr. *Marryat* presented a petition from the council and the house of assembly of the island of Grenada, complaining of the distress to which the inhabitants of that island, in common with those of all the other British West India colonies, were reduced, and praying that the House would afford them such relief as was absolutely necessary to save them from impending ruin The hon. member stated, that the distress of the agriculturists at home had a prior claim to the attention of the House, but that the next subject, in point of importance was, the distress that prevailed among the agriculturists of our West India colonies. He had read in a pamphlet, said to be published under official authority, that the total of all the sums raised upon the land, in Great Britain and Ireland, under the several heads of beer, of malt, of hops, and of land-tax, for 1821, was about 9,000,000*l.*; and that the customs and excise on our colonial produce afforded little less than 8,200,000*l.* to the revenue: so great, according to the author of the "State of the Nation," was the claim of our sugar colonies to a degree of political import-

ance; next only to our landed interest: "nec longo intervallo proximus." The petitioners stated the sources of their distress to be, the want of their former intercourse with the United States of America, and the very low prices of their produce. In consequence of the former circumstance, the prices of lumber and provisions in the British islands were double those paid in the foreign islands, into which American vessels were admitted. This difference was partly owing to the prime cost of some of the articles being higher in the British provinces in North America than in the United States; partly to the communication with Canada, and, indeed, most of the ports in the British North American provinces, being interrupted by the ice in tempestuous weather during a considerable part of the year; and partly to the [illegible] of those ports being so overstocked with rum —the article in which [illegible] lumber and provisions [illegible] they would take no more [illegible] discontinued sending the [illegible] plies. The fact was, that the whole consumption of rum in the British provinces in North America, including Newfoundland, did not exceed [illegible] per annum, which was only the produce of two small islands, [illegible] one-eighth of the whole. [illegible] tion of the United States [illegible] course with them was open [illegible] the quantity taken by the [illegible] vinces, which was [illegible] proportionate population [illegible] tries; but since we had [illegible] ships from our colonies, [illegible] cluded the produce of [illegible] their ports, and the [illegible] had been grievously [illegible] West India planter. [illegible] was, that the [illegible] Europe had so [illegible] did not actually [illegible] distillation. [illegible] proof strength [illegible] months [illegible] and changes upon [illegible] that contained [illegible] or the [illegible] land, and the cost and [illegible] cessary for distillation [illegible] instead of providing, as [illegible] greater part of the [illegible] sugar estate, was [illegible]

planter. The price of sugar was also so much depressed, as not to pay the expense of cultivation; and the British planter found his labour lost, and his property annually diminishing.—The petitioners ascribed the present depreciation of their staple commodity to the increased interference of East India sugar in the consumption of the mother country, and to the augmented produce of the Spanish and Portuguese colonies where the slave-trade was still carried on. With respect to the first of these circumstances, the additional duty imposed upon East India sugar was intended as a protection to West India sugar, unless the price should advance upon the consumer beyond a reasonable rate; but it did not at present answer that purpose. Since the opening of the trade to India, the number of ships from Great Britain to that part of the world had greatly increased. The only commodities they could find there [illegible] in the voyage home, were [illegible] and as the quantity [illegible] very insufficient for that [illegible] made up the deficiency [illegible] sugar from India, there[illegible] a substitute for ballast, [illegible] considered as coming home [illegible] advantage which was [illegible] when the duties were [illegible] the quantity introduced [illegible] consumption was annually increasing. The petitioners contended, that [illegible] restricted to Great [illegible] entitled to a preference [illegible] market, and that such [illegible] ought to be imposed [illegible] as to ensure the [illegible] fair price, before [illegible] into competition with [illegible] far more important [illegible] was, the vast increase [illegible] the cultivation of [illegible] and Portuguese co[illegible] the slave-trade was still [illegible] long ago predicted, [illegible] was abolished by [illegible] concert with the other [illegible] the great objects of [illegible] defeated, and the [illegible] colonies be ruined. [illegible] had always been [illegible] and the latter was in a fair [illegible] The abolition by Great Britain had served as a stimulus to other [illegible] to continue it to a greater extent [illegible] ever, and under circumstances of [illegible] barbarity. The growth of

sugar in the foreign colonies had thus increased to a degree that inundated every market in Europe, and brought great distress on the British planter, who depended upon those markets to take off the surplus of his produce beyond what was required for home consumption. The first remedy prayed for by the petitioners, was, the renewal of the former intercourse between the British West India colonies and the United States. He was an advocate for the navigation system; but could not forget the observation of Mr. Burke, that "if that law be suffered to run the full length of its principle, and is not changed and modified according to the change of time and circumstances, it must do great mischief, and frequently defeat its own purpose. It will not only tie, but strangle." This was, in his opinion, a case of that description; for the effect of its enforcement was not only to double the cost of the supplies necessary for the British planter, but also to deprive him of the best market for his rum, and render it of no value whatever. The only interests that could possibly be affected by this measure were those of the British provinces in North America, and the British ship-owners. The objections of the former might be done away, by the imposition of a duty upon such American articles as came into competition with those that were the growth and produce of our own provinces; this would give them all that colonies could reasonably claim — protection without monopoly. The interests of the British ship-owners would suffer more by driving the West India planters to extremity and ruin, as must be the consequence of continuing the present system, than by granting them the relief prayed for. If they were incapable of continuing the cultivation of sugar and rum, without loss, they must give it up, and raise provisions for their own subsistence, and that of their slaves. The ship-owners would then lose a far more important branch of their carrying trade, than the cross voyages between the West India colonies and the British provinces in North America.—The next remedy to which the petitioners begged to call the attention of the House, was the effectual abolition of the slave trade by the other powers of Europe. That his majesty's ministers had made great sacrifices, in order to accomplish this object he readily admitted; and he hoped that their persevering endeavours in this good cause would be crowned with final success. Appearances, however, were far from promising. The government of Spain had, indeed, lately passed a law, inflicting punishment on those who carried it on; but for many years past, neither the laws nor treaties of Spain had been observed in the island of Cuba. By the treaty between Spain and Great Britain, the final abolition of the slave trade in the Spanish colonies was to have taken place in October 1820, and the judges and commissioners appointed by the powers to try all violations of the abolition laws arrived at the Havannah previous to that period; but, in the face of them all, the intendant at the Havannah took upon himself the responsibility of admitting every slave ship that came to that port, whether under the Spanish, French, or Portuguese flag; and the judges and commissioners had never been allowed to interfere. So late as October last, a friend of his (Mr. M's.) sailed from the Havannah for this country, and on the same day four vessels left that port, that were avowedly fitted out for the coast of Africa, to bring back slaves. The Portuguese government still refused even to fix a period for the abolition of the slave trade; and the emperor of Russia, who, at the congress of Vienna, approved of the proposition of the noble marquis opposite, to exclude the produce of those colonies who refused to accede to the abolition, had so regulated his late tariff of duties, as to give a monopoly of the consumption of sugar in his dominions to the colonies of the only powers by whom the slave trade was carried on. Under these circumstances, the most strenuous exertions of ministers would be necessary to secure the effectual abolition of the slave trade; and the prospect of relief to the British West India planters from this event was, he feared, very distant.—The petitioners also urged, that the duty on sugar ought not to be arbitrary, but to depend upon its value, because, as at present regulated, it fell on the planter, and not on the consumer. He confessed, however, that in the present distressed state of the country, no expectation of any diminution in the duty could reasonably be entertained. Another mode of relief suggested by the petitioners, was, permission to export their rum in British ships, to any port in Europe—a permission which had already been given them as to all their produce, to any port in Europe south of

Cape Finisterre. The greatest part of the rum sent from the West Indies to this country was re-exported at a double set of charges, which absorbed a considerable portion of its value, and which might be saved by shipping it direct to the places of its consumption. This permission would not only be useful to the planters, but to the British ship-owners, who would receive an increased freight for the longer voyage; and, upon the same principle that ships going from the West Indies to ports south of Cape Finisterre were permitted to load back with certain enumerated articles, they might be allowed to return from the Baltic with lumber, and from Hamburgh with staves, direct to the West Indies; which, under the present system, must, in the first instance, be landed in Great Britain, and then reshipped to the West Indies at an enormous and unnecessary expense. Independently of the advantage of procuring employment to the British ship-owners, by thus increasing the sources of supply of lumber for the West India colonies, the price would be kept down; and in case of war, the planters would be less sensibly affected by the loss of any one market, than if they depended for a supply on that one only. It appeared highly advisable to extend the permission prayed for, to sugar as well as to rum, as was already the case with vessels bound from the West Indies to any port of Europe south of Cape Finisterre. The present Russian tariff, if it continued in force, would soon induce our planters to resume the practice of claying sugars, in order to secure their admission into the Russian market. Under the present system, they must first be landed in Great Britain, and then reshipped from hence at a double set of charges; but if permission were given to send them direct to Russia, they would then come into competition with the clayed sugars of the Brazils and Cuba, which were sent there direct on equal terms as to freight and charges. Perhaps, the House was not aware of the extent of the distress that at present existed in the British West India colonies. One planter wrote, that no credit could be obtained for provisions and clothing, except under a law of the island, which gave those supplies a priority even over mortgages, if furnished within the last 12 months; and that this credit was purchased at the rate of 50 per cent advance on the cash price of the articles, with the certainty of actions being brought to recover the amount, within the time prescribed by law for securing the priority. Another stated, that one third of the last year's taxes remained unpaid, without any possibility of being collected; and that the legislature of the island in which he resided were now imposing new taxes, under which those who could pay must make up the deficiencies of those who could not. Another declared his determination, unless things should take a more favourable turn, to abandon the cultivation of produce, and divide his land among his negroes, whom he could no longer support, in order that they might raise provisions for their own maintenance. As an instance of the depreciation of property, he might mention a fact that had come within his own immediate knowledge. An estate in Demerara, that was purchased about 7 years ago for 40,000*l.*, was sold at the marshal's sale last spring for 13,400*l.* He trusted that some measure calculated to meet the urgency of the case, would speedily be brought forward.

Mr. *Wilmot* said, that the state of the colonies had not escaped the attention of his right hon. friend the president of the board of trade, who meant in the ensuing week to submit a motion on the subject of regulating the intercourse of the colonies with Canada.

Mr. *Ellis* confirmed all that had been said respecting the severe distress under which the colonies now laboured. That the planters had not sooner appealed to parliament was owing to the confidence they reposed in the protection of the legislature.

Mr. *Bright* begged also to express his concurrence in the opinion, that the distresses of the colonies required immediate attention.

Ordered to lie on the table.

MOTION RESPECTING THE DUTIES ON TALLOW AND CANDLES.] Mr. *Curwen*, in rising to bring on his promised motion for a committee of the whole House on the import duties on Tallow, said, that the subject was one of great importance, not only as it affected the landed interest of the country, but as it affected other interests, which it was the duty of that Hou[se to pro]tect. He had the means of knowin[g the opi]nions of agriculturists, and he knew that they thought that the importation of foreign tallow was one amongst other causes

which operated to produce the great disproportion which unfortunately existed between the supply and the demand. He would press this measure on the consideration of the House, as one which was just and necessary in itself; and as one, which if entertained, would not tend to decrease the revenue, whilst on the other hand it would essentially serve the farmer. He believed he was sanctioned by the opinion of the chancellor of the exchequer in saying, that though considerable duties were placed on the importation of other articles, the produce of this country, yet those duties did not tend to diminish the consumption of those articles, or to injure the revenue of the state. The same reasoning he thought might be applied with equal force with respect to tallow. The English farmer would be able to supply the demand of the English market, and he ought to be placed at least on a just and equal footing with the foreign agriculturist. He believed that all men, however they might differ on other points, agreed that the country in general, and the agriculturists in particular, laboured under great and pressing difficulties. He was willing to assume that government felt for those distresses—he was willing to believe that it was the wish of government to give relief. Unfortunately, however, persons differed as to the best means of affording that relief, and he in common with the great bulk of the people, was convinced, that the measures already taken by government were quite inadequate to afford any sensible amelioration of the public distress. He did not call on the government to sacrifice any portion of the public revenue, without receiving an equivalent in another shape. The anxiety of ministers to preserve that revenue would not preclude them from giving their support to the present proposition. And here he would call the serious attention of gentlemen to the melancholy fact, that whatever might have been the extent of public distress, unquestionably since the parliament had assembled that distress had not been diminished. He did not mean to throw blame upon ministers. He did not mean to under-rate the steps which they had taken. The taking off one shilling per bushel on the duty on malt might have been thought by them the most probable means of affording relief; but the country now felt that relief did not follow the reduction of that tax, at least, in the proportion which was expected. It was his opinion, that other measures might be carried into effect from which greater relief might be derived, and he called upon ministers to see whether any thing further in the shape of practical relief might be effected. The measure he was about to propose would tend to relieve the farmer, without putting any burthen upon the consumer. If it could have such an effect, he would not bring it forward; he would not stand up in his place to advocate any measure which might relieve the agriculturists at the expence of the great class of consumers. It was evident that the difficulties under which the country laboured were not confined to the agricultural body. It was not the landlord; the tenant, and the labourers that alone suffered; but the great body of the people at large felt the pressure of the times. He might appeal to every gentleman who heard him, whether, at every fair and market town in the kingdom, the consequence of the reduced situation of the farmer was not experienced. Formerly the farmer, after disposing of his produce stopped in order to take necessary refreshment, and to provide himself with articles of comfort and convenience; but at present, the moment the market was concluded the farmer ran off without spending a farthing. Such was the fact, the distress of the farmer affected not only himself; but every tradesman, every publican, every man who had any thing to sell, felt the consequences of the distress of the agriculturists. That distress, even amongst the farmers, did not press equally. The graziers suffered more than the growers of corn; meat, which formerly sold for 10*d.* was now 3*d.* or 4*d.*, and in the metropolis at the highest price, not more than 7*d.* per lb.; such was the price to the consumer, but the farmer received not more than 3½*d.* per lb. sinking the offal. It was a fact, that prime cattle at present brought no more than cattle from the highlands of Scotland had formerly brought. The measure he had to submit to the House, namely, an additional duty on the importation of tallow, would, in the first instance, have the effect of raising the price of that article, but by taking off part of the tax upon tallow manufactured, which now bore so heavily upon him, the consumer would derive infinitely more benefit than disadvantage from the plan; and the farmer would be considerably benefitted. The average quantity of tallow imported from Russia was computed to amount to about 35,000 tons a year; the quantity melted in this

country was estimated at 70,000 tons a year. The average price per lb at present was 3½*d*. Now, in what situation did the two countries respectively stand? The English grazing farmer could not produce his tallow without feeding his cattle upon land that was equal in value to about 20*s*. per acre; the Russian farmer produced his from lands that were worth not quite 1*s*. per acre. The latter produced his tallow, also, without any more labour or expense than the trouble of slaughtering his beasts, and boiling the fat down; these beasts were not, like ours, valuable cattle, but animals that were merely raised and kept for the purpose of obtaining their tallow. But was this the only comparison to be made between the two countries? Was the situation of a farmer, or even of a labourer, in this country, to be likened to that of a peasant or farmer in Russia? Surely the interests of our own producer, on every ground, merited protection. The duty upon Russian tallow imported, was now 10*l*. odd per cent; the duty on hemp, an article so necessary and essential to our shipping, no less than 35*l*. Now, was there any just gradation of policy, he would ask, in taxing an article like hemp—of indispensable necessity to our most valuable service, and of which we ourselves were not growers, but consumers only, at this high rate; and levying upon tallow—an article raised by ourselves—a duty almost nominal, in comparison to the other? His motion was framed to protect our own markets, not only now, but hereafter, from excessive importation from other countries; for, had there been peace in South America for any length of time, we might have expected great quantities of tallow from that part of the world. Russia produced, altogether, 40,000 tons of tallow yearly; of which she exported from 30 to 35,000 tons to this country. And how did Russia preserve this trade? It was very extraordinary, but it was true, that she imposed 8 per cent on the tallow exported from her coasts; and made us pay annually, about 70,000*l*. for what?—for permission to bring her tallow to our own markets, to put down the produce of our own agriculturists. The duty upon imported tallow he should now propose very considerably to increase. What would be the consequence of such increase might be gathered from the beneficial effects of a similar increase in other cases. It would operate as the augmented duties had done with respect to our trade with Spain and Holland. Spain took off her heavy duty on exported wool, the moment she found that the right hon. gentleman opposite had placed a new duty on its importation. Holland had done the same, when the duties on foreign butter and cheese were imposed. Russia ought now to be made, through the same mode of proceeding, to take off her duty upon tallow. So far from our trade with Holland having declined by reason of the new duties, she had this year sent over 800,000 barrels of butter—which was more than she sent before those duties were imposed. The trade with Ireland had, perhaps, somewhat decreased; Ireland, from the nature of her climate and soil, must in the end thrive most by attending both to grazing and the dairy, he was for permitting these duties to continue. In praying for a committee of that House to consider this subject, he was prepared to go to the full extent of putting a duty of 20*l*. per ton upon foreign imported tallow. Upon the whole quantity of tallow imported, allowing for the duty payable in Russia, this would be an imposition of about 15*l*. per cent on the value, as regarded foreign tallow only; the Russian grazing farmer, instead of getting 3½*d*., would get only 2½*d*. per lb. This tax of 15*l*. per cent divided upon the whole quantity of tallow, foreign as well as home-produced would cause a rise in the price of tallow of about 5*l*. per ton. Now, in his humble opinion, this increased duty would have the effect of increasing the yearly value of grazing lands by about 300,000*l*. He calculated that the increased duty would afford to the revenue a surplus over the produce of the old duty of 300,000*l*. He should propose that this 300,000*l*. be applied to taking off the present duty on candles, which now yielded somewhere about 360,000*l*. per annum; and the expenses for the collection of which amounted to about one-seventh of the duty. The price of the candle to the manufacturer was not more than 5*d*., the cost of manufacturing 1*d*., and yet the consumer, for the most inferior sort, paid 9*d*. per lb. For every 6*d*., therefore, of cost, the consumer paid 2*d*. profit to the manufacturer, and 1*d*. for duty to government. He should not have brought the present subject before the House, could he have prevailed upon ministers, from whose hands such propositions always emanated with most propriety to do so. The distresses of the times, however, had operated with him, to give ministers an opportunity of at least reconsidering

these matters; and on that ground he moved. "That this House will resolve itself into a committee of the whole House, to take into consideration the propriety of augmenting the existing duties on Tallow, and also for repealing the duty on Candles."

Mr. *Sykes* could not concur with his hon. friend in the principal object of his motion; because, at a time when the question of peace or war was trembling in the balance—when the fate of thousands of unfortunate christians was involved in the forthcoming decision of the cabinets of Petersburgh and Constantinople, it would be unwise to irritate the Russian government by imposing a severe additional duty upon an article of Russian produce. Such a course, moreover, might lead to some harsh retaliatory measure on their part, directed against the commerce of England. It must be evident, too, that if the importation from Russia was lessened, the exportation from England, must decrease in proportion. He did, however, perfectly agree with his hon. friend, in the necessity of repealing the tax on candles, which was a tax on labour itself; because, while gas, and oil lamps, and a hundred other elegant inventions, were employed for the purpose of lighting the mansions of the rich, the industrious mechanic worked many hours, after his daily labour, by candle light. A tax on candles, therefore, was a direct tax on labour; and consequently one that no motives of human policy could ever sanction. He was not disposed to disagree with the financial views of the chancellor of the exchequer, or to contend, that there ought not to be a surplus beyond the expenses of the country. Whether that surplus should be to the extent of five millions above the annual revenue, he would not decide; but if it were proposed that it should accumulate at compound interest, he should give it his firm opposition. He had seen that the sinking funds of sir R. Walpole and of Mr. Pitt, had no sooner been established, than they were broken in upon; and he anticipated the same result if the system were now revived. In so much of the proposition of the hon. mover, as contemplated the reduction of the tax, he fully agreed; but he could not agree in any measure which would indicate hostility on the part of this country against Russia.

Mr. *Robinson* agreed in a great part of what had fallen from the hon. member for Hull. As one who was connected with that interest which the hon. mover professed himself anxious to support, he was necessarily desirous of entertaining any measure which could be proposed for the relief of the agricultural interest, without injury to others; but he could not agree to a proposal which could only benefit agriculture by throwing a burthen on the whole body of consumers, or by impeding the trade of the country. The tax proposed to be laid on foreign tallow must have one of two effects—it would raise the price of tallow, or it would not. If it raised the price of tallow, it would increase the price of candles to the consumer, and render the burthen more onerous to those who already complained of the taxes; if it did not raise the price of tallow, it was no protection to the agriculturists. The duty on candles was now 9*l.* or 10*l.* a ton, that on tallow at present between 3*l.* and 4*l.* The proposal of the hon. mover was, to take off the tax on candles, and increase the duty on tallow to 20*l.*; so that the duty on the ton of candles would be increased from about 12*l.* 10*s.* to 20*l.* Looking to the effect of the proposed duty, he could not help observing, that the most active advocate of the tax on tallow (he did not mean the hon. mover) who was propagating pretty largely the facts and arguments in favour of this tax, was, at least such was the general notion in the city, greatly interested in an advance of the price of the article [hear!]. This gentleman did not go the length of asserting, that the price of tallow would not be increased; but he went a round-about way to prove, that the increase would not be beyond 5*l.* 10*s.* a ton, an increase of price which would make a difference of 3*s.* a-head on an ox. Really, then, were they to risk the embarrassment of commercial relations, and to throw a fresh burthen on the consumer, for the sake of a boon, which after all, was not worth having? The hon. mover had, however, so managed his argument as to suppose, in one breath, that the tax would operate as a protection to the agricultural interest, because it would raise the price of tallow; in another breath, that it would not injure the consumers, because it would *not* raise the price of tallow. The hon. member to make out this last supposition, had told them, that the foreign producer could afford to sell his tallow so much lower than he actually did, that he, and not the

consumer would pay the tax. Now this, if it were true, was no argument for the measure. The just complaint of foreigners, was, that the trade of this country was so restricted, that all their ingenuity was required to get an article into this country on profitable terms; and now that one article was found on which they could get a profit, the state was to step in and take it in the shape of a tax. If this was to be our rule of commercial policy, we might as well shut up shop at once. On these grounds, therefore, he should oppose the motion.

Mr. *Ricardo* said, he had heard with great pleasure the principles avowed by the president of the board of trade, and hoped the right hon. gentleman would hereafter act upon them; for if they had hitherto been followed up, the right hon. gentleman could never have proposed the duties upon cheese and butter [Hear!]. The hon. mover was a great friend to agriculture, and was ready to go a great way in support of it. The length to which he had gone that night was really surprising, for he had told them exactly the quantity of tallow produced in this country, the quantity produced abroad, and the effect which the tax operating on this quantity would have upon the price, which he told them was precisely 2*l.* 10*s.*, the rest of the proposed tax being to be paid by the foreign producer. How the hon. gentleman got at this result was surprising. He believed the fact would turn out to be very different; that the producers in all foreign countries furnished their articles on the average, at the price at which they could afford them; and that a tax now imposed, would on the average of future years, be added to the price. He could not consent to tax the whole community for the benefit of one class. As he anticipated that his hon. friend's motion would meet with the fate it deserved, he should not detain the House longer, but to observe on a remark of the hon. member for Hull. The hon. member for Hull had said, that he was a friend to a surplus revenue beyond expenditure, but that he was an enemy to a sinking fund. Now to what purpose was a surplus revenue applicable but as a sinking fund? The hon. member had said, that he found from the experience of history, that a sinking fund was always seized by the ministers. He (Mr. R.) agreed with him, and it was on this account that he objected to the proposal to maintain a surplus revenue. In principle nothing could be better than a sinking fund. He was so great a friend to the principle, that he was ready to consent that the country should make a great effort to get out of debt; but then he would be sure that the means taken would effect the object. He would not trust any ministers, no matter who they were, with a surplus revenue, and he should, therefore, join in any vote for a remission of taxes that might be proposed, so long as a surplus revenue remained. The taxes on candles and on salt had been proposed for reduction, but though that on salt was undoubtedly very burthensome, it did not appear to him to be that which most demanded reduction. The taxes on law proceedings seemed to him the most abominable that existed in the country, by subjecting the poor man, and the man of middling fortune, who applied for justice, to the most ruinous expence [hear!]. Every gentleman had his favourite plan for repealing a particular tax, and this tax upon justice, was that which he should most desire to see reduced.

Mr. T. Wilson expressed the strongest objection to the measure proposed, and was very doubtful what would be its effect upon Russia. The hon. mover had stated, that when the duties on wool were imposed, the Spanish government took off the exports, but he forgot the circumstance, that Spain immediately prohibited woollen goods of the manufacture of this country. The same effect, he was convinced, would follow, if such a course were pursued towards Russia. He was a friend to free trade, and if its principles were not to be acted upon, he was anxious for the character of this country, that it should not cast the first stone, and allow other nations to say, that they were only retaliating upon us.

Mr. *Benett*, of Wilts, said, he was a friend to the principles of free trade, but he had never heard them applied to the removal of the restrictions on the proposed repeal of the importation of hats, or silk, or leather goods, or the other innumerable articles of manufacture, but solely to the removal of the small protection which agriculture enjoyed. He was convinced that some restrictions were necessary at present, as in no manufactures could we compete with foreigners under the present weight of taxation. The tax which had been imposed on foreign wool had been

most beneficial, as it had been paid entirely out of the pockets of Spanish wool growers; wool being as cheap now as it was before. Tallow would, he was convinced, be little increased in price by the tax, as the expence in Russia was merely that of driving the beasts together, and boiling the fat. He should cordially support the motion.

Mr. *Philips* called the attention of the House to the manner in which the manufacturers had come forward in favour of a free trade, referring particularly to a petition presented from the chamber of commerce of Manchester. He contended, that the skill and ingenuity of our manufacturers was sufficient to protect them against the rivalship of foreign nations. On the subject of a relaxation of taxes, he expressed his decided opinion, that the duty which might be most beneficially removed was that upon raw silk. It would produce a vast extension of the manufacture of that article, and would thereby inevitably benefit the agricultural interest; seeing that the prosperity of agriculture depended mainly upon the prosperity of the manufactures. He trusted that the session would not be allowed to pass away, without some further light being thrown upon the subject of a free trade with foreign countries.

Mr. Curwen shortly replied. After which, the motion was negatived.

Army Estimates.] The House having resolved itself into a committee of supply,

Lord *Palmerston* rose to move the remainder of the Army Estimates. He would begin with the vote relative to the War-office. He had made, since last year, a reduction to the amount of 8,000*l*. This saving was effected by the removal of [illegible] persons. He had reduced one salary of 1,200*l*., one of 1,000*l*., two of 800*l*. two of 700*l*., two of 450*l*. one of 500*l*. another of 400*l*., and several others of smaller amount. Comparing the present estimate with that of 1814, there was a diminution of [illegible]*l*. There was still several persons employed on the arrear accounts, and whenever those accounts were brought to a close, a still greater reduction would take place. A new scale of salaries had been adopted, which, when brought into operation, would ensure a saving of from 18,000*l*. to 19,000*l*. The scale by which salaries were now regulated in the War-office, was on the same footing with that which prevailed in the other public offices. Individuals dated their period of service, as entitling them to an increase of salary, from the time at which they first entered the office. But, by the new scale, the increase of salary would depend on their standing in the particular class to which they immediately belonged. This would retard, in a considerable degree, the period at which any individual could arrive at a great amount of salary. According to this scale, no person could attain a salary of 800*l*. a year until he had been 45 years in the office. His lordship then moved, "that 48,185*l*. 15*s*. be granted for defraying the charge of the War-office."

Mr. *Hume* said, the noble lord had made the saving amount to 8,000*l*.; but he could not, by adding the items, make it nearly so much; and it should be borne in mind that there had been additional pensions granted to the extent of 5,040*l*.; so that the saving was more apparent than real. Taking the pensions into the account, the expence was almost as great now as it had been in 1814. The superannuation system was carried, in the office of the secretary at war, to a greater extent than in any other under government. In 1798, the whole establishment stood the country in [illegible]; whereas it was now upwards of [illegible]. With respect to the arrear accounts, he was quite satisfied that the establishment of clerks which was kept up to inspect them was of no utility whatsoever. These accounts had been left in a state of confusion, until all who could give any information about them were dead and gone; and yet the department for inspecting such accounts had cost the public from 130 to 140,000*l*. in the course of the last twenty years. He was prepared to show, that no office under government required a different arrangement more decidedly than that of the noble lord, who was the Alpha and Omega of that office. No person could interfere with the noble lord in checking or controlling the system. There was one singularity in the office to which he would call the attention of the committee. There was a secretary at war with [illegible] a year, and a deputy who received [illegible] a year. Why had the deputy more than the principal? The first clerk received 1,[illegible]*l*. a year, although in 1798 his salary was but [illegible]. The commissioners of military inquiry, when they examined the state of the War-office, deliberately gave it as their opinion, that the additions made to the salaries of the prin-

cipal clerks were granted under particular circumstances, and were, in general, to be considered merely temporary. It was quite evident, that these very high salaries were intended as a reward for great exertions in time of war, and they ought, therefore, to cease when hostile operations were no longer carried on. He would now advert to some circumstances connected with the extravagance of the office. Mr. Brown had been allowed to act as commissary for a short time, and from that department he had retired with 276*l.* a year. He had 1,200*l.* a year as clerk. But all that was not enough; 300*l.* a year were added as clerk to the fund for chaplains, &c. It was extraordinary, too, that each of those clerks had 7*l.* 15*s.* allowed him for newspapers. Mr. Brown was thus in receipt of 1,926*l.* a year altogether. There was a Mr. Edward Marshall, who had 700*l.* a year, and received besides 150*l.* for preparing estimates to be laid before the House. Now, the time required for this could not be more than two or three days; and he really thought the sum considerably too much. He should be happy to do it himself for less, and should think himself very well paid. A Mr. Wilkinson had been eighteen years in the office, and received 450*l.* a year. For assisting in making up the estimates he received 100*l.*: for regulating the army list 100*l.*; and for preparing the militia and yeomanry list 100*l.* He had, besides, some other employment connected with the army list, and appeared altogether in six different capacities. A Mr. Merry had been 11 years a clerk, with a salary of 250*l.* He was, besides, private secretary to the assistant secretary. The whole duty of the department might be done by 15 persons, and for 15,000*l.* Contingencies were stated at 2,250*l.* Last year the noble lord had stated, that not one senior clerk could be spared. Yet, what had he done? He had turned out five or six senior clerks, and if half a dozen more were turned out, the business could be done as well as now. Mr. Sullivan had been ten years in the office, and he received 1,000*l.* Now had he, by seniority or otherwise, acquired such a salary? But it was more. A person having 1,200*l.* a year had been reduced, and Mr. Sullivan had his salary increased to 1,200*l.* a year. This was ministerial economy! He wished the noble lord to say how many young men had been lately received into the office? During the last two years, and since the pretended economy had commenced, eight or nine young men had been introduced. The changes which the noble lord had made did not, in short, promote economy or the public service. He could not consent to a vote of 43,000*l.* when the whole duties of this department were performed for little more than half that sum in 1806.

Lord *Palmerston* said, his majesty's government had certainly very little encouragement to make any reductions, considering the manner in which they were received by the hon. gentleman opposite. He admitted that he had said, in the last session, that no reduction of clerks could be made, without inconvenience to the public service; but, if he had since deferred to the wishes of parliament, it was a little unfair to charge him in one session with making no reductions, and then to turn round upon him, and accuse him of having made them in another session. With regard to the introduction of young clerks into the office, it was the only mode by which he had been enabled to make any reductions. He had discharged individuals with high salaries of 700*l.* and 1,000*l.* a year, and to meet the deficiency, he had engaged clerks at salaries of 90*l.* and 100*l.* a year. His office had undoubtedly undergone an entire change since the year 1797. In 1797, the number of clerks was small, but many of them had high salaries whereas, at present, the number of clerks was much increased, but very few of them had large salaries. The hon. member had complained, that the salary of the deputy secretary was greater than that of the secretary himself. This salary, however, would be fixed in future at 2000*l.* instead of 2,500*l.* the gentleman who now held this office had no extra allowances: he had formerly been chief examiner of Army accounts, at a salary of 1,500*l.* and he had the privilege of supplying the garrison of Gibraltar, which was worth 900*l.* a year; so that, in fact, he relinquished appointments to the amount of 2,400*l.*, and received only 2,500*l.* He neither knew, nor wished to know where the hon. gentleman got his information, but his informant was not more accurate than the hon. gentleman himself. He was persuaded that in no office was the public business more efficiently discharged than in his own, and that no set of men worked harder than the clerks connected with it. He would state one proof, and a melancholy proof of this fact; namely, that since the year 1810, no fewer than 26 clerks, all of them in the prime of life, had died of pulmonary and

other complaints, arising from sedentary habits. With respect to the charge for newspapers, the indulgence was by no means extended to all the clerks, but only to the higher clerks in the office. The whole charge was trifling, and quite unworthy of notice. The hon. member had accused him of being the creator of a system of pluralities. Now this was so far from being the case, that he had issued orders that no person connected with the office should engage in any other employment without his leave, and that leave he had never in a single instance granted. The hon. member had talked of the ease with which he himself could make out the estimates. Now he (lord P.) must say, that he would rather not trust him with that office [a laugh]. After the accuracy which the hon. member had displayed in the exercise of his arithmetical functions in that House, he did not think it safe to trust the estimates in his hands. The difference of a few millions more or less, though of no consequence to the hon. member, would not be so convenient when the House came to discover them in the Army Estimates. The labour of making out the estimates, so far from being a work of two or three days, occupied several months, and if any fault could be imputed to his majesty's government, it was, that the persons employed in this labour were inadequately paid. The hon. member was mistaken in supposing that Mr. Wilkinson received any allowance for making out the Army list. He was allowed to edite the list, taking upon himself the chance of profit or loss, and he received no remuneration whatever from the public. The hon. member did not appear to understand the difference between the annual and the monthly Army list. The monthly Army list cost very little; but an allowance was granted for combining and editing the annual Army list, which could not be published by any bookseller, except at a loss. The sum allowed to his private secretary was for taking the charge of all the correspondence connected with the compassionate list. The other person to whom the hon. member had alluded, received a salary of 100*l.* for assisting the deputy secretary at War. It was quite impossible that the manipulation of all the papers of the office could be conducted with the assistance of a great number of inferior clerks. He should like to know how many assistants the hon. gentleman himself had to arrange his own papers. The hon. member wished to know after what length of service Mr. Sullivan had been appointed to a salary of 1,000*l.* Mr. Sullivan had been appointed at once to that salary on his (lord P.'s) recommendation; and he was persuaded that no man who inquired into the manner in which he had discharged the duties of his office, would doubt the propriety of the recommendation. The salary of the office had been increased from 1,000*l.* to 1,200*l.* a year, because he felt, that, in fixing the salaries of the office on a permanent footing, this was only a fair allowance; but he begged to observe that the increase was only annexed to the office, and that it was not extended to Mr. Sullivan. The noble lord then went into a comparison of the present expense of the department, with the charge which had been made upon it in former years. In 1806, the vote had been 56,000*l.*, and the number of persons employed 105; in the present year 106 persons were employed, and the vote was 44,000*l.* only. It was evident, therefore, that between 1806 and 1822, a considerable reduction in salaries must have taken place. The period of 1792 had been adverted to; but let the amount of duty done in that year be looked at. In 1792, the number of papers sent out of the office was 7,200, and 22 persons were employed. In the last year the number of papers sent out had been 98,792 and the number of persons employed 132; so that if the persons employed had increased in number five or six-fold, the quantity of business done had increased in a much larger degree. With respect to the management of the public accounts, he regretted that their arrear had increased so much. It had been occasioned, he really believed, by a wasteful economy, by injudiciously diminishing the strength of the office. The accounts were examined as carefully as possible, as they were taken in hand. The balance was due in some cases to the accountants, and in others to the public; but, on the whole, the balance was in favour of the public. Difficulties often occurred, from a want of vouchers which had been lost or mislaid, and from the absence of other explanatory circumstances; but while, on the one hand, government were determined to call on public accountants to settle, they, on the other, gave a liberal interpretation to every fair doubt which was occasioned by a delay in the examination.

Colonel *Davies* said, the noble lord was blamed by his honourable friend, not for

the reduction itself, but for his tenderness in making it. He had been driven into economy, although he had contended against its possibility, and it was to be observed, that most of the reduced clerks received large superannuation salaries. The criterion by which the House ought to judge was, not what had been done, but what could be done in the way of reduction.

The resolution was agreed to. On the resolution, "That 26,903*l.* be granted for the charge of the office of the paymaster-general,"

Colonel *Davies* suggested, that the whole of this department might be dispensed with. He believed the paymaster-generalship of the army to be an entirely useless office. It was merely a ministerial office, and the only duty done was the passage of money through it. The expense of the office had greatly and needlessly increased. In 1797, the entire charge of the office was 11,340*l.* In the present year, the salaries after deducting superannuation allowances and contingent expenses, amounted to 19,000*l.* The fact was too strong to require enforcing by argument, and he was bound to press it upon the committee.

Sir *C. Long* said, that of all the committees of finance which had considered this subject, there was not one which had thought the office of paymaster-general useless. This office, it seemed, had escaped the diligent and accurate research of Mr. Burke, and of lord Colchester, and it was reserved for the sagacity of the hon. colonel to discover that it was altogether useless. The hon. colonel said the office was a ministerial one; now, he must think that the hon. member knew very little, if any thing, of the nature of the office, to make such an assertion. The business of this department could not be performed without the assistance of the paymaster-general, who had to examine and pass a great variety of accounts. Was that ministerial duty? Was the payment of the half-pay nothing? But it was said, that this was a duty which might be performed by the Bank. Now, he, from experience, might state, that the Bank could not discharge the duty. He had to look at various accounts of officers, to see whether their affidavits were regular, whether the proper forms were gone through, and, where such forms were accidentally omitted, to decide whether the omission was of such a nature as should retard the payment of the particular individual. Of all these matters the Bank could know nothing. Besides, the paymaster-general acted as treasurer of Chelsea Hospital. Was that also a ministerial duty? Again, the paymaster had to attend to the argument of prize-money, to examine the claims made, and to see how far the party claiming was entitled. Was that also a duty which could be discharged by the Bank? If the hon. member thought it a useless office, he should have brought in a bill to abolish it altogether, and to repeal all the acts which regulated its duties. If the hon. member should have courage enough to embark in such an undertaking, he would find himself shipwrecked before he got a hundred yards from the shore. As to the office, he could assure the committee, that he had done every thing in his power to reduce its expenses, and a considerable reduction had taken place as compared with former years. In 1814, it was 85,000*l.*; in 1815, 57,000*l*; in 1816, 43,000*l.*; in 1817, 34,000*l.*; in 1818, 29,000*l.*; in 1819, 30,500*l.*; in 1820, 29,460*l.*; in 1821, 28,860*l.*; and in 1822, 26,903*l.* Now let the committee consider what was the increase of duties in the office since 1792. At that time the whole of the half-pay amounted to 231,000*l.*, which was paid to 4,707 individuals. In the present year, the whole amount, including allowances to wounded officers, was 1,503,000*l.*, which was to be paid to nearly 20,000 persons. This, he thought, might account for the great increase of business in the office, and no one, after looking at this increase, would say that the office was ministerial. He would defy the hon. member to discharge the duties of the half-pay alone, with fewer clerks than those now employed. As to the charge of reduction, he would plead guilty to one thing—he had not reduced the salaries of the lower clerks, but he had diminished those of the higher, and he was certain that even this would not please the gentlemen opposite, who, for some reason or other, approved of nothing which was done by gentlemen in office.

Mr. *Hume* declared himself unable to see where the great reductions had been made. It was true there was a diminution of charge of 1,908*l.* But there were offices with salaries from 1,800*l.* to 800*l.* a year; and therefore as the higher clerks were only reduced, such a saving was in-

considerable. The Pay-office as it was called, paid no money. A person might carry in his pocket all the money paid by that department. They met the demand upon them with a check. The right hon. member found fault with the term ministerial, used by his gallant friend; but in the reports of the finance committees the office was styled a ministerial office, with no control over the public expenditure. He was ready to admit that it was much better ordered since the right hon. gentleman presided over its administration. With respect to the trouble arising from the half-pay affidavits, was there not a form of affidavit always given to persons applying? When payments were to be made, the office, instead of being only open from eleven to two, ought to be open from nine to four, in winter, and longer in summer. The various operations through which an applicant for payment had to pass, certainly rendered it necessary to have a number of clerks. But where existed the necessity for that tedious process of passing from one room to another, and having something to do with at least six different clerks. One active person at the Bank, conversant with powers of attorney, would discharge the whole business. With respect to the prize money and pensions at Chelsea Hospital, that had nothing to do with the Pay office. The right hon. gentleman was, he was aware, very diligent in his attendance, but he sat there not as the paymaster-general, but as the member of a board. He wished to know whether the simplifying of the public accounts was to extend to any other office but the Treasury.

The resolution was agreed to. On the resolution "That 4,580*l.* be granted to defray the charge of the allowance to the Judge Advocate General, his deputy, clerks, &c."

Mr. *Hume* said, he was sorry to find there was no intention to bring back the salary of the judge advocate-general to any thing like what it was formerly. When it was remembered that sir C. Morgan held that situation for so great a length of time, at a salary of 1,300*l.* it was evident that 2,500*l.* in time of peace must be extravagant. He thought, that a salary of 1,500*l.* would be quite sufficient; and would therefore move, that instead of 4,580*l.* the vote should be for 3,580*l.*

The *Solicitor General* observed, that the office of judge advocate general was a patent place, and had been on its present footing ever since the Revolution. The duties had considerably increased since that period, and though in the time of sir C. Morgan no addition had been made to the salary, it was not because there was no reason for doing so, but because the large fortune of the individual rendered any addition a matter of no importance to him. But, to consider the question on its fair merits, the office was of the utmost consequence to the army. The lives, fortune, and character of military officers were, in a measure dependant upon the manner in which its duties were fulfilled. The hon. gentleman had said, that those duties were diminished since the peace; but the fact was, that the number of reports made to the advocate general had increased in a three-fold degree since the year 1811. In the course of the last year no less than 400 general courts-martial had taken place. The judge advocate general had to read all the proceedings, and to decide whether the evidence was legal, and according to the practice of courts of law. He had also to advise the commander-in-chief, and the secretary at war upon important occasions, and to afford his advice to officers stationed in the different colonies, upon various topics connected with the administration of military jurisprudence. If he discharged the duties of his office faithfully, not a single day could pass over him, many hours of which must not have been employed. No person could say, that the salary fixed by the administration of Mr. Grenville and Mr. Fox was too much. It was also to be considered, that the duties of the judge advocate for Ireland were now annexed to this office, and that no increase of salary attended this additional labour. The office of judge advocate for Scotland had been also abolished, and its duties were transferred to the judge advocate-general. All this had occurred since 1807, when the present rate of salary was fixed.

Mr. *Hume* contended, that this was not a patent place, but an office from which the person holding it might be removed at the pleasure of the Crown. The learned gentleman had said, that the rules observed in courts of law were also observed at courts martial. He could as soon be persuaded that black was white, as that the duties of this office were as great in time of peace, as they had been in a period of war.

The *Speaker* said, that as he had had

the honour of holding the situation of judge advocate during a period of more than seven years, he might, perhaps, be permitted to trespass for a few moments upon the attention of the committee. He was not one who estimated the importance of an office by the salary attached to it; and, therefore, had the question been confined simply to a reduction of salary, he should have remained silent. It was utterly impossible to measure the difficulties of an office by the salary annexed to it—to take the dimensions of its responsibility by the 1,500*l.* or 2,000*l.* a year which fell to the lot of the person who held an office. But he was anxious that, to whatever decision the committee came, they should be guided by no counterfeit representations. Much had been said of the consequent diminution of duty by the change from war to peace. He could assure the committee, that the difficulties of that office depended in a very slight degree upon the number of courts martial. The hon. member for Aberdeen had, he thought, mistaken the spirit of the remark of the learned gentleman, when he said that this was a patent office. The object of the learned gentleman was, not to shew, that it was therefore beyond the control of parliament, but simply to prove that it was an office of great difficulty, of extensive practice, and that the duties attendant upon it induced his majesty cautiously to consider the talents and the character of the individual to whom it was entrusted. It was not an ordinary office; it was one which gave to its possessor the privilege of demanding a private audience of his majesty, on all those delicate proceedings which so frequently occurred before courts martial, and the publication of which might be attended with serious consequences. While he had the honour of filling that situation he had endeavoured to make all proceedings before courts-martial resemble each other in form, and to model all their investigations upon the strict rules of evidence. It was perfectly true, that these courts so admirably constituted for the particular end which they had in view, could not regulate their proceedings by the rules and practice of the superior courts; but it was the duty of the judge advocate to revise and reinvestigate these proceedings and to reduce them all to the strict rules of law; and whenever such a case came before him, he had invariably advised the Crown to decide according to the rule of law. With the assistance of a very valuable coadjutor he sifted the evidence, and ascertained whether it was legal or illegal, and upon that decision he invariably advised the Crown in the course to be pursued towards the accused. With respect to the duties of the office, he could say further, that during the first two years which he had filled this situation, he had not been absent from his office for the space of five weeks altogether, and at no one period for a single fortnight. There did not pass a single day during which he had not held conferences strictly confidential with the commander-in-chief, and with the secretary at war. It was superfluous to add, that the station was one of difficulty, delicacy, and continual occupation, and that it demanded great integrity because its possessor must secure the confidence of the army. If the committee deemed 1,500*l.* a year a fair remuneration for the conscientious discharge of those duties, they would vote for the amendment. But he once more protested against the formation of such a decision, upon the mere assertion that the duties of that office nearly ceased at the conclusion of the war.

The committee divided: For the Amendment, 18. Against it, 124.

List of the Minority.

Barrett, S. M.	Monck, J. B.
Creevey, T.	Palmer, C. F.
Chamberlayne, W.	Palmer, col.
Crespigny, sir W. De	Robarts, A.
Ellice, E.	Robarts, col.
Fergusson, sir R.	Rickford, W.
Hume, Joseph	Whitbread, S.
Hobhouse, J. C.	TELLER.
James, W.	Bennet, hon. H. G.
Lushington, Dr.	

On the resolution, "That 13,662*l.* 1*s.* 7*d.* be granted for the charge of the Royal Military College,"

Mr. *Hume* asked, what was the reason for keeping up so large a staff at that establishment? There were a governor, a lieutenant-governor, a major, four captains, and so on; in short, the whole staff cost the country 6,000*l.* a-year, and merely for superintending the education of a few young men. Though there were now 290 cadets at the college, the whole number admitted into the army between 1816 and 1820 was 160. These young men had cost the country 115,280*l.*, being at the rate of 720*l.* for each cadet.

During the last year, out of the 290, there were 44 cadets who had got commissions; but the remaining 246 were still unprovided for. Now, he would ask, what reason there was for educating more than they could provide with commissions? By the routine of the college, one fourth of the number of cadets left it every year; so that of the 70 thus leaving it, as only 44 were provided for, the expense of educating the remaining 36 was thrown away. Why, then, was not the number of admissions to the college limited to the number of commissions which could be given? He observed a nice little item of 2*s.* 6*d.* per day for the 290 gentlemen cadets. Why was this sum granted? He supposed for no other reason than to put them under military law. The hon. member pointed out the impropriety of having 29 different professors to superintend the education of these 290 young gentlemen. The salaries of the governor and deputy-governor might be reduced without any detriment to the establishment. He should move for the reduction of this vote by 5,000*l.*, which would leave it 8,661*l.* 1*s.* 7*d.* He would not point out the particulars on which this reduction ought to be made, but would leave it entirely to the noble lord's discretion.

Lord *Palmerston* said, the hon. member had acted most fairly in his opposition to this grant, for his argument did not so much tend to say that the establishment was too great a charge upon the public as to break it down by degrees altogether. The question, therefore, was, whether, as it was necessary to keep up a standing army, there should or should not, exist a place in which the officers of it could be properly qualified. He would not argue the necessity of professional instruction for military men, because it was evident, that unless the army was officered by gentlemen who knew the theory and practice of the art which they professed, the bravery of our soldiers would be quite ineffectual. If, then, it was necessary to have a college at all, the staff now employed on it was not too large. The students, from their particular age, being scarcely men, and no longer boys, were peculiarly difficult to manage, and would become quite unmanageable, unless there were some military men of rank and experience, to control them. The noble lord then contended that the admissions to the college were not more numerous than they ought to be; and defended the college, by a reference to a similar institution in the United States; that land of freedom, which, young as it was, could not exist without a standing army. What proportion did the committee think the number of the cadets in America bore to the standing army of that country? As 272, to 5,000; while in England it was 290 to 60,000.

After a short conversation, the committee divided: For the Amendment, 26. Against it, 75. The original resolution was then agreed to.

List of the Minority.

Bankes, H.	Lambton, J. G.
Barrett, S. B. M.	Lushington, Dr.
Bernal, R.	Macdonald, J.
Bennet, hon. H. G.	Normanby, vis.
Benett, J.	Palmer, F.
Birch, J.	Ricardo, D.
Blake, sir F.	Robarts, A.
Bright, H.	Robinson, sir G.
Bruce, R.	Webbe, E.
Crespigny, sir W. De	Whitbread, S.
Hobhouse, J. C.	Wilson, sir H. W.
Hume, J.	TELLER.
James, W.	Monck, J. B.
Jervoise, G. P.	

HOUSE OF COMMONS.

Thursday, March 21.

NAVY ESTIMATES.] The report of the committee of supply, to which the Navy Estimates were referred, was brought up. The resolutions which provided for the Dock yards being read,

Mr. *Hume* observed, that he could not suffer this particular vote to pass, without exposing to the House how the country was situated in this respect. He could not see why commissioners should be maintained at Plymouth, Portsmouth, Sheerness, Chatham, Woolwich, and Deptford, at salaries of 1,200*l.* a year; or why clerks should be permitted to retain their war salaries, now that they were subject to no income tax, and that the class of labouring artisans was so seriously reduced. He must protest against the continuance of a system under which the total expense of providing for the above-mentioned dock-yards was 177,319*l.* 13*s.* 9*d.* more than it was in the year 1818, and was only 485*l.* 6*s.* 3*d.* less now than it was in 1818. It had never been his intention to reduce the power of our navy. What he aimed at was, the reduction of a dead and unnecessary expenditure which oppressed the country.

The resolutions were agreed to. On the resolution respecting half-pay to naval officers,

Mr. *Hume* said, he conceived there was no adequate reason, for keeping up a full admiral in any of our sea-ports, and understood that the expense was two-thirds greater than that attending a rear-admiral, who would be quite sufficient for all useful purposes. It appeared to him a very bad arrangement by which a flag was kept flying at Leith, whilst we had not one in the whole empire of India. The sum of 80,000*l.* for coast blockade was, he understood, merged in the navy estimates, but ought, in his opinion, to be kept totally distinct, as being a charge directly incidental to the collection of the revenue. He would suggest, that the estimates should be differently framed in future, and that the corps of marines should likewise be placed on a better footing, and appear under a separate head. The seven appointments of general officers of marines might be fairly termed sinecures, and he thought it one instance of the unfair system adopted towards that corps, that they should be enjoyed by individuals who belonged to another profession, and were always engaged in a different branch of service. He must complain, that the marines were the most neglected corps in the service. The officers shared in little or none of that promotion which had been so lavishly diffused throughout the army and navy. Whether this was to be ascribed to their having in general no parliamentary interest, or to some other cause, he did not pretend to determine; but the fact was incontestible. Since the year 1814, the following were all the promotions which had taken place amongst them:—Nine second lieutenants had been made first; nine first lieutenants had been made captains; eight captains had been made majors; seven majors were appointed lieutenant-colonels, and four lieutenant-colonels were promoted to be colonels. Let the House contrast this statement with the following account of the number of officers promoted in the Navy, from 1816 to 1821, both years inclusive; and the amount of half-pay paid to those officers, up to December, 1822.

Officers promoted.	Amount of Half-pay in one year.		Amount of Half-pay to December, 1822.
In 1816 .. 142	£.16,169	for 6½ years	£.105,101
1817 .. 72	9,818	— 5½ —	54,001
1818 .. 103	12,473	— 4½ —	56,132
In 1819 .. 167	£.49,986	for 3½ years	£.174,954
1820 .. 77	8,413	— 2½ —	21,033
1821 .. 236	46,537	— 1½ —	69,806
Total ... 797 in 1 year.	143,399	making, since the Peace	481,029

Here was an expense of near half a million incurred to the country. Even at the coronation, the royal bounty was not permitted to flow in the same munificent course towards the marines as in other directions. Justice required that men, who had so eminently distinguished themselves, should receive more liberal treatment. The children of a marine officer, when receiving the benefit of the compassionate list, were allowed but 10*l.* each, whilst those of another officer received 30*l.* Where, then, was the stimulus, or how could men so situated be expected to make great exertions? After the battle of Trafalgar, in which their gallantry was so conspicuous, and when a most extensive promotion followed, but one individual of the marines was selected for that honour; and only two, after the battle of Algiers!

Sir *G. Cockburn* said, it was not intended to retain port-admirals as a fixed system; but since some of the present had been so employed for 30 years, and during a war of unparalleled magnitude, he was sure the House would be of opinion, that the services of our commanders ought not to be hastily forgotten. It was at Plymouth only that a flag was flying at the main; and he could assure the House that there were at that port, and at Portsmouth, nearly 200 vessels to look after. The office of port-admiral was, indeed, very far from being a sinecure. When he (sir G. C.) last came home, he was a colonel of marines; but the king had been since graciously pleased to confer upon him the rank of a major-general in that service, an honour which he valued more than it was in his power to express. He begged leave to say that he knew the marine service well: he had had the pleasure of acting and fighting with them during 20 years of war. On very many occasions they had behaved, not only with the courage, but with the discipline of the oldest regular troops; and their conduct had called down the admiration and thanks of those military men who had witnessed it. He conjured the House to reflect upon the danger which they might create by manifesting any in-

vidious distinction between the two services.

The several resolutions were agreed to.

HOUSE OF COMMONS.

Friday, March 22.

PETITION FROM NEWCASTLE, ON BEHALF OF MR. HUNT, AND IMPUTING NOTORIOUS CORRUPTION TO THE HOUSE.] Mr. *Lambton* presented a petition from Newcastle upon Tyne, signed by 4,820 persons, praying for the liberation of Mr. Hunt. He had no hesitation in saying, without at all entering into the consideration of the principles or of the conduct of Mr. Hunt, with which he had no concern, that that individual had been treated in a most unjustifiable manner. The sentence originally passed upon him was most severe; and it could not be in the contemplation of the judges, that the severity of that sentence should be aggravated by the hardships and tortures which had been inflicted on Mr. Hunt by the gaoler, under the sanction of the visiting magistrates; or, at least, without any remedy being applied to the evil on their part. The petitioners urged Mr. Hunt as a fit object for the exercise of the royal clemency. They also represented the necessity of a reform in the representation; and expressed their strong disapprobation of the proceedings at Manchester.

Sir *M. W. Ridley* said, that the petition was not agreed to at any public meeting, and therefore, could not be considered as representing the fair opinions of the inhabitants of the district from which it professed to come. Neither the original petition, nor a copy, had been sent to him, although it was given to other members. The petition could only be taken to represent the opinions of those persons by whom it was signed. He, nevertheless, thought, that the circumstances which had attended the imprisonment of Mr. Hunt deserved the serious consideration of the House.

On the motion, that the petition do lie on the table,

Mr. *Fremantle* said, it was impossible that the House, in common justice to its own character and dignity, should consent that the imputations conveyed in the petition, should be permitted to lie on the table. Was such an expression as "the notorious and avowed corruptions which have crept into your House," to be tolerated? Nor was the passage in which the petitioners referred to "the illegal, cruel, and unparaleled deeds committed at Manchester," and "the wickedness of those evil counsellors who had advised his majesty to approve of the slaughter of his own subjects," less objectionable; more especially when it was considered how frequently the subject had been discussed in that House. On these grounds he must oppose the reception of the petition.

Mr. *Lushington* called the attention of the House to another paragraph in the petition, which was equally objectionable. It was that in which the petitioners stated, that "the mental tortures endured by Mr. Hunt, ought to be considered a sufficient atonement for the crime of showing how your honourable House might be made still more honourable."

Sir *R. Wilson* was surprised to find gentlemen so fastidious, particularly when he recollected that they expressed no displeasure on a former night, when a noble marquis declared, that useless stipendiary offices ought to be kept up, in order to enable ministers to carry on the machine of government. Why were those places to be maintained, but in order to secure the influence of a certain noble lord in another house, and his dependants in this? The House could not fail to perceive the object for which unnecessary offices were continued, when they recollected the manner in which lord Fife had been deprived of the place which he had held, because he voted against ministers in that House. Hon. members might, if they pleased, dispute about terms, but the facts would remain the same. They might call certain offices great, but the purposes for which they were given and held were well known. They were given, according to the acknowledgment of the noble marquis, for the purpose of obtaining for ministers a sinister influence in that House. The people had a right to complain of this.

Mr. *James* was astonished at the fastidiousness of the gentlemen opposite, with respect to the passages in the petition which imputed corruption to that House, when he recollected the declaration of the late Speaker, that the buying and selling of seats in that House "was as notorious as the sun at noon-day."

Mr. *Wynn* believed that no circumstance which had occurred during the last ten years had ever been so grossly misrepre-

sented as had been the declaration of the late Speaker, by the hon. gentleman who spoke last. If the predecessor of the present Speaker had uttered the words which the hon. member had imputed, he (Mr. W.) would not hesitate to say, that he had entirely lost sight of the duty which he owed to the House. He appealed, however, to hon. members, who had sat in the parliament over which their late Speaker presided, at the time when the declaration attributed to him was made, whether it contained any admission that the House was corrupt; and whether it did not, on the contrary, express horror that such a character should have been ascribed to it? With respect to the question before the House, he thought it was impossible for any person to have heard the petition read without coming to the conclusion, that its object was to vilify and disgrace the House, and not only the House, but the administration of justice. If the House allowed such imputations to be spread abroad, not a single institution of the country could be maintained. He knew it might be said, "Let our institutions rest for their defence upon their own high character: if it be found that they do not deserve the odium which is attempted to be fastened upon them, they can sustain no injury;" but he could not admit the truth or wisdom of such reasoning; for there was no institution, however venerable, that could withstand long and continued attacks of this nature. If the House were to permit the court of King's-Bench and the institution of juries to be traduced with impunity, the administration of justice would soon cease to hold that high [illegible] public opinion which it had for so long a time held with so much advantage to the nation. He had never objected to the reception of a petition [illegible] respectfully worded, but [illegible] question, whether [illegible] should not be received [illegible] upon a particular expression [illegible] the whole tenor of the [illegible] person, therefore, could lay his hand upon his heart, and say [illegible] ject of the petition [illegible] grievances, that [illegible] its reception: but [illegible] him, that the only [illegible] tion was to vilify and [illegible] the House, he must vote for its rejection.

Mr. Bennet maintained, that the right hon. gentleman had incorrectly stated the opinion expressed by the late Speaker on the subject of the alleged corruption in that House. The language used by the late Speaker was, that such practices would have made our ancestors startle with indignation. It was not the Speaker who had said that the purchase of seats was as plain as the sun at noon day; but the late Mr. Ponsonby. With respect to the petition, it contained some reprehensible parts, which, had he framed it, he would have omitted; but he was not prepared to say, therefore, that it ought not to be received. He had seen petitions containing language infinitely stronger than this, laid on the table. If petitions were not to contain any imputations on the courts of law or other tribunals, there would be an end at once of all petitions for redress of grievances. The House might, indeed, receive petitions of congratulation and condolence, but none of complaint or accusation. He would not allude particularly to the case of Mr. Hunt, but he believed that many crown prosecutions were carried on from political and vindictive motives. If the people suffered under severe and pressing grievances, how could they avoid expressing their sufferings in strong and pointed language? Upon such occasions, it did not become parliament to look with a microscopic eye at their petitions, to discover if they contained any expressions which could be construed into an insult upon that House. He maintained that the House ought to listen to those petitions, however harsh or uncourtly they might sound in the ears of those gentlemen who had recently left [illegible] on the other side of the House.

Mr. [illegible] appealed to the hon. [illegible] whether it was to be tolerated, that [illegible] who voted on one side of the House [illegible] told that they were in[illegible] by corrupt motives? He, [illegible] House, not by the influence of [illegible], but by the unanimous [illegible] number of most respectable constituents; and though his [illegible] given in opposition to the opinions of gentlemen opposite, yet [illegible] vote unbiassed by any [illegible] or corrupt motive. He [illegible] motives as much as any [illegible]; and it was because this petition most [illegible] imputed them, that he should [illegible] reception.

Mr. Hobhouse said, there was no necessity for the hon. gentleman to sup-

pose that this petition contained any imputation against hon. members, who, like himself, were returned by the free choice of their constituents. His "withers were unwrung." But a minister of the Crown, on a former night, had admitted enough to justify the phrase used in the petition, as that minister, in defending what were by some considered useless places, had supported their necessity, upon the ground that there were always a few to be kept for gentlemen on the opposite side who were gaping for them. It was too much, then, to be squeamish about words, which only conveyed the sense already avowed by a minister of the Crown. He agreed, that more measured words might have been used in this petition, so as to escape cavil or objection in that House; but their own sense would tell them that the words could do them no harm unless they were true. There was surely no harm in telling the truth, "Words break no bones" was the proverb; and certainly they could not, if they were shot at random; for then they were only a fit subject for laughter. He was, however, astonished when the right hon. gentleman asserted, that a similar charge had never been suffered to lie on their table. Did he not remember the petition of "The Friends of the People," who offered to prove at their bar, that a certain number of peers and commoners, by their own individual interest, returned a majority of the members of that House? Nobody objected to the reception of that petition; he fancied that Mr. Burke, a great stickler for their privileges, had heard it read, and that Mr. Pitt also a great stickler for privilege, though an apostate from the cause of reform, had not opposed its lying on the table. He denied that this petition ought to be considered as an attack upon the courts of judicature: it only attacked prosecutors: and where the weight of the Crown was used in particular prosecutions, was it not a fit object of attack? As to Mr. Hunt's treatment, it was agreed on all sides, that his sentence had been aggravated most unjustifiably since his imprisonment. Looking to the main question, he thought great allowance ought to be made for the people. When they felt a grievance, it was honourable to them that they expressed themselves strongly upon it; and it was the more honourable to the petitioners, that in this case they expressed themselves indignantly, not at their own sufferings, but at the sufferings of another. By the six acts, much difficulty was thrown in the way of holding public assemblies for the purpose of petitioning. He thought, therefore, that hon. members ought not to reject hastily such petitions, as it was still in the power of the people to present.

Mr. *Lambton* said, that he had received no notice respecting this petition, until he was advised that the parties were about to transmit it to him for presentation. It was true that it did not emanate from any public meeting; indeed, there would not have been time to have called one, so as to have secured the arrival of a petition before the day fixed for discussing the subject in which the petitioners took such an interest. Besides, they should recollect the many absolute difficulties which were thrown in the way of meetings of the people by the six acts. He was astonished that the gentlemen opposite should be now so eager to complain of a petition, merely because it was not adopted at a public meeting, when they were the gentlemen who declared, that that very circumstance formed no objection to the hole-and-corner petitions which they so highly praised. The right hon. gentleman (Mr. Wynn) was perfectly consistent in opposing what he deemed an offensive imputation in a petition. He had always seen him disposed rather to close the doors of that House than to throw them wide open for the reception of petitions containing any words likely to offend the squeamish taste of the House. They ought to excuse the people for putting a strong construction upon transactions which were not denied within that House. When on a former occasion he had presented a petition from Lyme complaining of the improper interference of a peer at an election, the hon. baronet opposite (sir J. Graham) asserted in its palliation, that if a noble earl had interfered on one side, it was equally notorious that noble persons in the interest of the opposition adopted the same course at elections. He had also heard lord Cochrane mention the regular market price of a seat, and say that he had paid 5,000*l.* for one. When the people out of doors heard that such notorious facts were stated, and not contradicted within, he thought they might be excused for occasionally passing an opinion upon the information which reached them. An appeal had been made to him, whether he did not believe the object of the petitioners was, to insult that House? He did not in

his conscience believe that such was their object; but rather that they meant to apply for the liberation of Mr. Hunt. If, in making that application, they had used terms which would induce the rejection of their petition, he should lament the circumstance, from the unfavourable impression it might create in Mr. Hunt's case—a man with whose principles and politics he had nothing to do, and whom he only recognized as a man suffering under injustice—in the minds of those who would before many days have to decide upon it.

Mr. *Peel* said, that after perusing the petition, he could not come to the same conclusion as the hon. gentleman had; namely, that no offence was intended by the petitioners. He entirely agreed with him that nothing was more impolitic than to check the expression of the people's complaints; yet he trusted to the hon. gentleman's own candour to admit, that nothing could be so prejudicial to the right of petitioning itself, as suffering the language used by these petitioners to pass without censure. It was a studied attempt to throw obloquy and insult upon all the institutions of the country: it charged the government with instituting vindictive prosecutions, it cast a slur upon the administration of justice, and stated that the judges had punished Mr. Hunt merely because he had endeavoured to bring about a reform. Was it possible to permit such an imputation as this to be cast upon the judges of the land? As to the declaration respecting the imputed notorious corruption of this House, if they once admitted the principle that such an allegation could be allowed in petitions, it would be too late to attempt to stop the repetition of such language. Viewing this petition, therefore, as a precedent, which, if adopted, would inevitably lead to a repetition of insults, he felt himself called upon to reject the petition.

Mr. *Monck* declared, that the petition though strong, was couched in language similar to that often expressed in the discussion of the same topics. He was decidedly in favour of receiving it.

The House divided: Ayes 22. Noes 123.

List of the Minority.

Barrett, S. M.
Birch, J.
Bernall, R.
Bury, lord
Calvert, N.
Creevey, T.
Ellice, E.
Fergusson, sir R.
Gaskell, B.
Hobhouse, J. C.
Hume, J.
James, W.
Maberly, J.
Maule, hon. W.
Monck, J. B.
Nugent, lord
Ricardo, D.
Palmer, C. F.
Robarts, col.
Robinson, sir G.
Wood, alderman
Wilson, sir R.

TELLERS.

Lambton, J. G.
Bennet, hon. H. G.

NAVY ESTIMATES.] The House having resolved itself into a committee of Supply, sir John Osborn moved "That 154,200*l.* be granted for Improvements in the Dock-yards for 1822."

Mr. *Hume* said, in the committee on these estimates last year, a great deal of conversation had taken place respecting this vote. Then, as now, his principal objection to the vote, was, as to that part of it which applied to Sheerness. Last session he submitted that they ought to vote no more money towards carrying on the works at Sheerness, until they had received sufficient information as to the propriety of continuing those works. In 1814, when these great works were first begun in our dock-yards, the estimate laid on the table for Sheerness, was 824,992*l.*; but the actual cost was found to be 1,355,000*l.*, being about 500,000*l.* more than the amount stated in the original estimate. It appeared, by papers before the House, that to complete these works, would require, exclusive of the vote for the present year, 618,000*l.* If to this sum they added the total vote for the year, which was 65,000*l.*, the amount required for their completion (supposing even that the expense should not exceed the estimates), would be 683,000*l.* so that the works at Sheerness, when finished, would have cost the country altogether 2,038,000*l.* When these works were first begun, some difference of opinion existed among the government-boards whether the proposed dock-yards should not be established at Purfleet rather than Sheerness; but finally, the preference was given to Sheerness. At that time, the means now possessed by us were not exerted. Now we employed, on all occasions, steam vessels, for taking line-of-battle ships from one station to another, as might be deemed necessary. By these vessels, line-of-battle ships, and East Indiamen of the largest class were towed against wind and tide with the most perfect safety and success. No place that could be selected possessed greater capabilities for docks than Purfleet. There was nothing but chalk to excavate, and the work would have been dry and secure.

But at Sheerness accident after accident had occurred. The buildings were raised literally upon a quicksand; and in every instance, it was in the first place necessary to drive piles into this sand. In January, 1820, a very large portion of the new works was broken down by a sudden irruption of the sea, which accident occasioned to the country an additional expense of several hundred thousand pounds. He would here beg the gentlemen opposite to explain one singular circumstance. In 1820, the total amount necessary to complete these works, was estimated at 171,000*l.*; but the actual cost proved to be 200,000*l.* and upwards, for all the yards. But the amount which they had been in the meanwhile called on to pay for these works, in all the yards, would be little short of 954,000*l.* No doubt all this was to the great benefit of the persons employed. He had been told by engineers of considerable ability, that they doubted not only the utility of the works so far as they had gone, but the utility also of continuing them. He had seen an estimate, by which it appeared that if even government were to commence new and extensive works at Purfleet, they would not require so much money as was necessary to complete the old works at Sheerness. When we possessed a great navy, it might have been very proper to accommodate them with additional room; but now, in the seventh year of peace, he understood that we had more docks than we had ships to put into them. He had shown that the expense of the works at Sheerness, when they should be complete, would be upwards of 2,000,000*l.*, assuming even that the estimate would not be exceeded. No single board ought to be intrusted with the management and direction of such expensive undertakings as these. A committee ought to be appointed by that House, for the purpose of considering their utility, and of bringing before them, not merely the government engineers, but other engineers of ability, in order to have the full benefit of their opinions; and he should propose, that the House would not vote more than 20,000*l.* or 30,000*l.* a year for these works, until a report should have been obtained from such committee. He should at present move to reduce this vote by 50,000*l.*, being the estimated amount for the old works at Sheerness.

Sir *J. Osborn* said, that with respect to Sheerness, 50,000*l.* was all that was required to complete the new works. A sum of 15,000*l.* additional was required for building a smithery. As to the utility, or otherwise, of Sheerness, as a station for docks, he should leave the House to decide upon that point; but he thought it preferable to a place which the hon. gentleman called Purfleet; meaning he presumed, Northfleet. With respect to the Breakwater, he could not agree with the hon. gentleman as to the propriety of the course which he suggested. The hon. gentleman, by means of large grants, would wish to have the works completed in two or three years. He was convinced that if that course were followed, it would occasion, not a saving, but an increase of expense.

Sir *J. Yorke* contended, that the works at Sheerness were undertaken under the immediate direction of most able and experienced men. He had only to mention the names of Mr. Watt, captain Huddart, and Mr. Jessop. The works notwithstanding the observations that had been made, would stand the test of severe criticism. Of this expenditure it was to be observed, that every shilling was spent in the country, and in some way or other found its way back into the Exchequer, and the hon. member should recollect, that his constituents were not a little benefitted, as the Aberdeen granite was much employed. When they recollected the various instances of unprofitable expenditure—the twenty millions spent in St. Domingo—the twenty millions lost in the Austrian loan—when they cast their eyes to the course of the Medway, and observed a certain hill, on which a lazaretto was erected at an expense of one million, of which not a vestige remained, the whole having been sold for 10,000*l.*, he really thought the hon. member had pitched upon one of the least objectionable parts of the ministerial expenditure. Before the improvements were undertaken, there was scarcely a dock in Sheerness and Chatham fit for a ship of the line, and as for Chatham, the river below was so shoal and intricate, that even when ships had been repaired and were fit for sea, they had grounded on their moorings, and were obliged to be returned to dock. The works were now completed, and the sum proposed was merely to erect a wall to separate the great basin from Powder-monkey-bay, without which it was supposed the water could not be let in without danger of a blow up. The great basin

had now twenty-seven feet at the mouth, and would now admit a first rate with all her guns and stores. As to Plymouth Breakwater, it had already been found to be of the greatest service.

After a short conversation, the amendment was withdrawn, and the resolution agreed to.

ARMY ESTIMATES.] On the resolution "That 28,894*l.* 18*s.* 1*d.* be granted for the Garrisons at home and abroad,"

Mr. *Hume* hoped many of the offices held by persons who did not perform the duties of them would be abolished on the death of those individuals. He did not think the charge for garrisons ought to be so large, and unless he heard that which should induce him to change his opinion, he would submit a motion to the committee for deducting something from it. He particularly noticed the establishments in the islands of Guernsey and Jersey, and the charge for the militia which he understood was hardly called out oftener than once a year. He also offered some remarks on the taxes raised in Gibraltar, and on the charge which it threw on these estimates. He wished to know if it could not be lessened. He thought 22,000*l.* more than ought to be demanded for garrisons in England.

Lord *Palmerston* said, that the islands of Guernsey and Jersey, threw no expense upon this country beyond that for the staff, the remainder being paid out of the revenues of the islands. The militia, instead of being called out but once a year, was called out once a fortnight, and the inspector had reported them to be a most efficient body of men. With respect to the charge for Gibraltar, it was less than formerly by 3 or 4,000*l.* When asked, if some diminution of expense could not be effected in the present charge, he did not feel himself at liberty to hold out any expectation of that kind. Some offices in the garrisons, on the extinctions of the interest in them, had not been filled up; but with respect to the governors, so far as his influence extended, he would not diminish the number of such appointments. These appointments had been considered the honourable rewards for military services. They had been bestowed in a way which the country must approve, and in the present holders of them, the committee would recognise many of the most distinguished ornaments of their country. These offices had been approved by successive committees of that House, and therefore he did not feel it to be his duty to propose that any of them should be abolished.

Colonel *Davies* said, that those who had shed their blood in defence of their country ought to be liberally rewarded; but, in his opinion, those who deserved such rewards would feel the honour to be greater if they were conferred by parliament. When parliament sanctioned a reward for faithful service, no person could doubt that the reward was justly bestowed; because the case of the individual was brought forward openly. But this was not the case with reference to the Crown. It was in the power of the Crown to grant rewards from motives of the merest favouritism. Therefore, arguing on principle, the system appeared to him to be excessively bad; and, in proportion as it was objectionable, it must appear evident, that to place the duty of rewarding merit in the hands of parliament, would be infinitely better. He could not conceive why such an expense at Gibraltar should be countenanced, when it was known, that during the last reign, no less than 124,000*l.* were received from Gibraltar, and placed in the privy purse. This was contrary to every principle on which Gibraltar was held; for most assuredly any taxes levied there ought to be appropriated to the necessary expenses of the local government. In his opinion, there was not a single station abroad, that was not made, in some way or other, subservient to a system of corruption.

Colonel *[Gossett]* said, the militia of Jersey was not only assembled every fortnight, but every Sunday, after divine service. Those who belonged to the militia had certain privileges, with respect to taxation; but then they received no pay, and were only clothed once in seven years. The salary of the governor of the island was defrayed out of its revenue.

Sir *[I.] Coffin* deprecated the idea of any attempt to alienate the islands of Jersey and Guernsey from this country, considering the important services which they had often rendered to this country in defending it against France, and that since the days of William the Conqueror, there never had appeared more loyal subjects in the empire. As to the governments of the several garrisons, he thought them essential to the Crown as the rewards of merit; and the manner in which these appointments were usually disposed of,

proved the eminent utility of the arrangement.

Mr. *Bennet* said, he had no indisposition to reward military men in the most liberal manner; but the question was, in what way provision was to be made for them? The noble lord could, no doubt, adduce a long list of highly respectable names by whom these governorships had been held. The same might be done with respect to every public office. But, that was no argument for keeping up useless places. When it was attempted to do away the board of trade, the names of Gibbon, of Addison, and of other celebrated men, were mentioned as having been connected with that office, and therefore it was contended that it ought not to be suppressed. But, the question was, not who held the office, but whether it was of any public use? He could see no reason, if military merit were to be rewarded, why it should not be brought before that House. There was one argument strongly in favour of such a proceeding; namely, that no case would be brought before the House that would not bear the light. He did not mean to say that government would, unless peculiarly pressed, confer rewards on undeserving men; but they ought not to be left open to temptation. "Lead us not into temptation," was a prayer which they were constantly putting up; and to prevent ministers from encountering that temptation, which might lead them to abuse the power of the Crown, he would remove from them the authority by which they disposed of those governorships.

Mr. *W. Smith* said, that last year there was a governor of the Isle of Wight, who never held any other military appointment. The governor of Dartmouth was also a gentleman, formerly a member of that House, who had no other military connection whatever. He did not know to what extent such instances might avail, but he held them to be improper.

Lord *Palmerston* said, it was very true that lord Malmsbury, the governor of the Isle of Wight, never was in the army; but the governorship was conferred on him, in consequence of his giving up a pension of 2,000*l.* a-year, which had been granted to his father for public services, and which he would have enjoyed in reversion. The situation of governor of the Isle of Wight was worth between 1,100*l.* and 1,200*l.* a-year; so that the public were benefitted by the transaction, to the amount of 800*l.* per annum. As to the propriety of leaving with the Crown the power to reward military merit, he was completely at issue with the hon. members for Worcester and Shrewsbury. The principle they wished to enforce was the most unconstitutional that could be imagined. They admitted that it was right and proper to have rewards for military merit; but they went on to say, that while those rewards were placed in the hands of the Crown they might be misapplied; and, in order to prevent an abuse, they argued that the power of granting such rewards should be taken from the Crown, and given to the House of Commons. Such a doctrine was utterly at variance with the principles of the constitution, and if acted on, must lead to the most dangerous consequences. He would contend, that it was necessary to place the command of the army in the hands of the Crown, and that it was equally necessary that the reward of military merit should be left with the sovereign. If ever the day came when the power of rewarding military services should be transferred from the Crown to the House of Commons, those who saw so baneful an alteration might say, that they had witnessed the death-blow of the constitution.

Colonel *Davies* said, it could not possibly be inconsistent with the constitution to apply to parliament for the reward of military services, as ministers themselves had proposed so many pensions to military officers at the close of the late war, which pensions too were adjudged with an alacrity that amply proved the disposition of parliament to recognise the justice of such claims.

Mr. *Wynn* thought, that unless it was meant to dispute the old constitutional maxim, that the Crown was the fountain of honour, the proposition of the gentlemen opposite could not be consistently maintained. History should show gentlemen the danger of transferring to any other power than that of the Crown, the grant of military rewards and distinctions. Upon such a transfer, the country must, whatever gentlemen might mean, become an absolute republic; for he was persuaded that they who began by petitioning would very soon end with demands. Let the House consider how short a time elapsed before the parliamentary army in the reign of Charles the 1st, insisted upon their claims being attended to. This would always be the case when a popular assembly

attempted to distribute military rewards, and to keep in its own hands the command of the army. He objected also to this mode of distributing rewards, because he was satisfied that it would be in the end the most expensive mode. It had always been found that that House was disposed to go beyond the measure of reward recommended by the Crown in cases of extraordinary merits.

Mr. *Hume* said, his object was, to see whether the House would consent to cut down useless offices and sinecures, and leave that just and legitimate influence to the support of the monarchy which it was the intention of the constitution that it should possess. He had never heard, until within the last week that the keeping up of sinecures was necessary to the influence of the Crown. He would always maintain, that that Crown did not deserve to be supported, which could not stand upon the legitimate influence to be derived from the patronage of so vast an expenditure as that which was incurred by the government of this country. With the view of ascertaining how many advocates there were for that system, he would move a reduction in the estimate of 12,344*l*.

Mr. *R. Smith* was of opinion, that, for all practical purposes, the House possessed a due control over the power of the Crown. He would not support the amendment, however useless the places might be, unless it could be proved that they were conferred without any merit on the part of those who held them. Let any instance of a reward conferred without merit be produced, and he would support a proposition for abolishing the place.

Mr. *W. Smith* said, that would be the most invidious shape in which the question could come before them, as it would be going into the merits of an individual. The Crown was the fountain of honour, it was true; but it could not be said to be the fountain of reward, at least, in the sense of pecuniary recompense. It had the power of nominating to certain offices, but it was the duty of that House, as guardian of the public purse, to control and regulate the amount of pecuniary compensation for public services.

The committee divided: For the Amendment, 21; Against it, 80.

List of the Minority.

Beaumont, T. W.	Bright, H.
Bennet, hon. H. G.	Bernal, R.
Belgrave, vis.	Pares, Thomas
Crompton, Sam.	Ricardo, D.
Crespigny, sir W. De	Russell, lord J.
Hume, Jos.	Robinson, sir G.
Leycester, R.	Sykes, D.
Monck, J. B.	Smith, W.
Martin, John	Wood, ald.
Phillips, Geo.	TELLER.
Palmer, C. F.	Davies, col.
Pride, Robert	

On the resolution, "That 137,297*l*. 11*s*. 4*d*., be granted for Full Pay for retired Officers,"

Mr. *Hume* said, that the whole charge for retired allowances in the year 1816 did not amount to more than 107,000*l*.; but a new system had been recently adopted. When the garrison battalions were called out, the noble lord selected from the full and half-pay some officers who had never served more than a year, and others who had actually not joined the army for 25 years. These persons were put into the veteran corps, and, after a few months, placed on full pay for the rest of their lives. The number of officers who had been transferred from the full pay and half pay to veteran corps, were 247 officers in all; 68 from the full pay, and 179 from the half-pay. The public burthens were by this proceeding increased to the amount of 13,870*l*. a-year. He had no hesitation in declaring it to be illegal, for, by the act of parliament, no man was entitled to enter a veteran corps unless he were unfit for active service. One individual was put on half-pay after three years' service. In the first battalion of the 8th dragoons, an individual, after four years' service, was transferred to a veteran corps which was disbanded the next month. A person, named Pritchard, had only served one year. He was appointed to the waggon train in October 1794; and in August 1795, he was put on the half-pay list, where he continued until Jan. 1821, when he was transferred to a veteran battalion, which was shortly after disbanded, and he was placed on full pay for life. He should conclude by moving, "That the vote be reduced by the sum of 13,870*l*."

Lord *Palmerston* apprehended, that the House must be aware of the grounds upon which officers were appointed to veteran battalions, and also of the circumstances under which they were allowed to retire from such battalions on full pay. The conditions attendant upon such permission was, that they abandoned all claim to fu-

ture promotion in the army. The committee would also remember, that the difference between half pay and full pay, was as 2 to 3 only, and not as 2 to 4. The hon. member seemed to think there was some act of parliament requiring medical certificates of incapacity for service, in all cases where officers were appointed to veteran battalions; but he defied the hon. member to produce it. The fact was, that the hon. member (Mr. Hume) entirely mistook the effect of the act to which he alluded. The act provided, that where an officer desired to retire from any existing regiment of the line, or existing veteran battalion on full pay, there certificates were necessary; but no certificate was required where the removal was the act of government. The case of Mr. Pritchard was a peculiar one. In the early part of the late war, he had been a resident in Flanders, and, in consequence of considerable services which he rendered to the British army, he had been compelled to fly from that country, and his property had been confiscated by the enemy. Being admitted to have strong claims upon the English government, he had been appointed, in 1795 or 1796, to a commission in the waggon-train; he had subsequently been reduced, in consequence of an alteration in that corps; and the commander-in-chief, finding him in indigent circumstances, had, as a reward for his past services, appointed him to a veteran battalion.

The amendment was negatived, and the resolution agreed to. On the resolution, "That 764,200*l*. be granted for the Charge of Half Pay to Reduced Officers for Great Britain,"

Mr. *Hume* called the attention of the committee to the present amount of the half-pay estimate. At the sitting of the finance committee in 1817, the charge of the half-pay had been 6[illegible]7,000*l*., and the committee had promised a probable reduction of, annually, about 7 or 8 per cent. But, instead of any such reduction, the charge had, from year to year, gone on increasing. In 1818 it became 651,000*l*.; in 1819, 737,000*l*.; in 1820, 783,000*l*.; in 1821, 765,000*l*.; and in the present year 806,000*l*. or 809,000*l*. Here, instead of diminution there was a regular course of increase. He was quite aware of the answer that would be given to him. It would be said, "The half pay is increased, because you have reduced the full pay." Yes; but he would not admit the application of that answer. He contended, that the full pay had not been diminished in a proper degree; promotions had taken place, and fresh officers had been brought in. Reduction, no doubt, had taken place in the army, and he gave the noble lord opposite credit for it as far as it went: but his complaint was, that it did not go far enough. Then it would be said, that he was never satisfied. But he denied that fact. Let the regulation for the army be only fixed upon the proposition brought forward by a gallant officer with respect to the marines. Let one vacancy in three be a promotion, and let the other two be filled up from the half-pay; and his side of the House would remain silent and content upon the subject. But how was it possible for the country to sit down under the pressure of the existing system? In the course of less than seven years from the end of the war to Jan. 1821, there had been no fewer than 2,553 new commissions: of these, 1,103 had been first commissions, 597 being obtained by purchase, and 506 by gift. It was to this system that the increase of half-pay was to be ascribed; and seeing the chancellor of the exchequer in his place, he would submit a plan to his consideration. Ministers had been endeavouring to lower the interest of the national debt from 5 to 4 per cent., and the scheme which he had to propose would save a great deal of money. Many officers were now, from time to time, leaving the service, finding no doubt, that they had no chance of getting on—that young men were put over their heads, and that their services were neglected: now he (Mr. Hume) desired, that when a lieutenant, for instance, wished to retire, and was to receive 400*l*. or 600*l*., or whatever the value might be, for his commission, that the chancellor of the exchequer, who could borrow money at 3 or 4 per cent, should become the purchaser, and pay the 400*l*. or 600*l*. borrowed at 3 or 4 per cent, instead of granting an annuity at 13 or 14. The list of officers, he (Mr. Hume) believed, now amounted to 8,000. No such number could be wanted; and a saving of the difference between 3 per cent, and 13 per cent, upon the cost of a commission would be the effect of the system he proposed. Another consideration which he would submit to the noble lord opposite was this; that officers should be prevented from going upon half-pay for life, until they should have gone through

a certain length of service. It was a common practice now for gentlemen to buy commissions with a view to being immediately put on half-pay. He knew that in more than 300 instances commissions had been bought, and the purchasers put on half-pay the same day. The purchase, in fact, of a commission, was the purchase of an annuity. Now, the navy did not pay pensions until after seven years' service; and what reason could be shown why a mere lad, an ensign, receiving his commission, perhaps, as a gift from the commander-in-chief, should, in the same hour, sit down with a provision for life. He doubted how far such gifts could lawfully be made by the commander-in-chief; and was quite sure that, under the circumstances of the country, the power of making them ought to be restrained; but, if the appointments were given, let a regulation be made, that any officer retiring under ten years' service, should receive, not half-pay for life, but merely the price of his commission. If some such regulation were not brought forward by the other side, he should feel it his duty to do so before the close of the session.

Sir *H. Hardinge* said, that however frequently he differed from the opinion of the hon. member for Aberdeen, in military matters, he perfectly agreed with him, in respect to the wisdom of taking officers from the half-pay list to active service. There was a statement of that hon. member to which he was desirous of calling the attention of the House. It was one which he had repeatedly made in that House and elsewhere, and particularly at Hereford, and other county meetings. This statement was, that during a period of five years, there had been in the army 2,553 appointments—[" Promotions," from Mr. Hume.]—well, promotions; and that if these had been made from the half-pay list, there would have been a saving of 200,000*l.* annually to the country, and of two millions and a half eventually. He had been surprised at the largeness of this number, and was consequently led to examine into it, when he found that so far from there having been 2,553 promotions, the whole number of actual vacancies which occurred in the five years, was 663. So that the hon. member had actually overstated 1,890 in the number of appointments, and 1,800,000*l.* in the saving which would have arisen by filling them up from the half-pay list. He would explain how the hon. member had committed a gross error, which was made up of the most inconceivable collection of errors, that ever any one man committed. He had made his calculations upon this principle:—If a lieutenant-colonel retired, his rank was filled by a major, the majority by a captain, the captain's by a lieutenant, and the lieutenant's by an ensign. This, of course, made only one vacancy to be filled from the half-pay; but, strange to say, the hon. member had taken and calculated upon five, and thus he had made his overstatement of 1890 in numbers, and 1,800,000*l.* in expense. And this too he had stated openly, in the face of the country. The effect of this must have been, to prejudice a great portion of the people against the manner in which the army was administered, and against the valuable services of the commander-in-chief. This error of the hon. member was a sufficient test of his general mode of calculation. With respect to the half-pay list, there were but two modes of relieving it either by deaths or casualties. There were 600 reductions last year, and the whole which could be reduced, so as to bring in an actual saving to the public, was about 30 commissions. Was it, he asked, advisable to interfere with the half-pay list, for the value of thirty commissions—to take away hope and honorable ambition, and disgust the army? What, substantial saving would there be in taking away from the commander-in-chief, a fair source of patronage, which, in point of fact, was a part of the constitutional influence of the Crown?

Mr. *Hume* said, he had not expressed any wish to take from the Crown the power of appointing officers. All that he contended for was, that a reduction of these objectionable appointments would be a real service to the army. He admitted that the gallant officer had shown that he had made a mistake in his statement, upon a former occasion. But it was the only mistake, in point of statement, he had ever committed in that House. He had discovered the mistake afterwards, and had mentioned it to his hon. friend the member for Shrewsbury, who recommended him to correct the mistake the first favourable opportunity, and this he had resolved to do. With respect to the gallant member's remarks upon county meetings, he begged to say, that he had attended but one county meeting since the time of his making that statement. If hon. members would look

at the number of calculations and statements he had brought before the House, it would be matter of surprise that they were in general so correct. He thought if one in three were accurate to the letter, it was as much as could be fairly expected; but he was persuaded that the hon. members opposite would sleep soundly now that they had detected him in one mistake.

Lord *Palmerston* said, it appeared, that the hon. member's calculations were made upon the principle adopted in venturing a smuggler's cargo; namely, that if one in three was safe, there was still a profit. The mistake of the hon. member was no slight one. He had not only stated it in his speech of last June, but had repeated it in December, when addressing the people of Hereford, who had voted him a cask of their generous beverage, for the accuracy of his calculations. It was a pity the hon. gentleman did not discover his mistake before he received the reward, that he might have undeceived them at the time that he received so grateful a token of their approbation. The error was not one of calculation only, but of reasoning and logic. The very document from which he drew his statement, by containing the number of promotions by purchase, showed, that the vacancies could not have been filled up from the half-pay list. The noble lord here detailed the number of commissions given since the peace, the proportion of vacancies filled up from the half-pay list, from purchase, or the free exercise of the patronage of the commander-in-chief, and contended that the commander-in-chief had attended to the claims of the officers on half-pay as much as was consistent with the good of the service, and the just expectations of the other class of officers. During last year, his royal highness had given 25 commissions to civil persons, and 23 to officers on half-pay.

Mr. *Bennet* stated, that six weeks ago, on going over the estimates with his hon. friend, he (Mr. H.) declared to him the mistake. He also expressed his surprise that the acuteness of the gentlemen opposite had not discovered the mistake before. It was his advice, that his hon. friend should take the first favourable opportunity of setting himself right with the House. The noble lord thought it most strange that his honourable friend should fall into such an error, because it was a mistake of logic. Now he (Mr. B.) had sat long enough in that House to be well convinced that there were no mistakes into which that House fell more frequently than mistakes of logic. The surprise of the noble lord reminded him of the scene in the "School for Scandal," where Mrs. Candour affects such astonishment at finding other persons as wrong as herself. The resolution was agreed to. The chairman reported progress, and asked leave to sit again.

HOUSE OF COMMONS.

Monday, March 25.

PETITION FROM CAPTAIN ROMEO.] Lord *J. Russell* rose to present a petition from an individual whose claims had already been before the House. The petition was from captain Francis Romeo. He was a native of Calabria, had been forced to enter the service of Murat as a private soldier, and was raised some time after to some subordinate rank; but with this circumstance the case had nothing to do. He was employed some time afterwards by the British commanders in Sicily, in a mission of a delicate nature. It was well known that the Queen of Naples was plotting the overturn of the British power in Sicily, in order to aid that of her relative Napoleon. To defeat those plans, captain Romeo was employed, and, according to the testimony of the commanders of the British force in that country, his services had been of considerable advantage to the British interests. For these he had been promoted to a commission in the British service in that country. In 1816, on the restoration of the king of Naples, this gentleman, with the British uniform on his back, and a British passport in his pocket, was seized in the streets of Naples, and thrown into prison. It was said on a former occasion, that he had escaped from prison without trial; but the fact was not so. It was true he was not tried; but, without even the form of a trial, he was transported to Alexandria, in Egypt, and there left in a state of destitution. The whole of his sufferings the petitioner attributed to the services he had rendered to the government of this country. This statement was corroborated by the certificates of lord W. Bentinck, lieut. general Maitland, and of the late lieut. general Campbell; and from these it might be inferred, that all those who were known by the Neapolitan government to have been attached to

British interests were treated with a most unrelenting severity. On presenting his claim to the government here, several promises were made to him, that he should receive a pecuniary compensation, and a passport which would protect him abroad. Some trifle had been granted to him, which he had commuted for 300*l*. Now, was a person who had rendered such important services, to remain almost starving in the streets of London. He was satisfied it was a case which deserved the attention of the House, and a reconsideration by government. Having said thus much on the subject of the petition, he would offer a few remarks on some recent occurrences in Italy. It was well known that, up to 1813, it had been the constant policy of the government of this country, to unite all the nations of the continent against the power of Buonaparte. No pains or expense were spared to induce the powers of the several countries to throw off the yoke of Napoleon. But amongst all those to whom such offers were made, there were none to whom greater inducements were held out than the Italians. They had severely felt the iron yoke of Buonaparte; but with them, whatever were its disadvantages, it had this effect—it gave a spirit of enterprize and bravery to the inhabitants, a great portion of whom were inured to arms, and had become disciplined soldiers. They had, besides, all the advantages to be derived from the encouragement of letters, and the opening of so many schools of public instruction. But those very circumstances contributed to show more fully to many, the despotism under which they lived, and gave them a desire to overthrow it. Unfortunately, however, when the change was made, their condition was not bettered. Little or no attention was paid to their desire for liberty. Indeed, a report went abroad, that when the Milanese applied in 1814 to the noble lord opposite, to be put under the protection of Great Britain, the noble lord replied to them, that however the liberty enjoyed by this country might be fitted for it, it would be unfit for the Italian states. Be that as it might, certain it was that Italy was given up to the dominion of Austria almost without any condition. To show how likely the Italians were to benefit by the change, he would mention, that all public instruction was now prohibited in Italy, except such as was given by the jesuits and another religious order. The system of mutual instruction, or teaching in private schools, was altogether abolished. The adoption of such a system seemed as if it was the intention of the Austrian power, to throw Italy back into the darkness and barbarous ignorance in which she was involved in the middle ages. As a proof of the liberal principles upon which the people of that part of the world were governed, he would mention a circumstance which had recently come to his knowledge. Three persons were lately condemned by the Supreme Court of Justice at Turin, two of them for practices of an alleged treasonable nature, but the crime of the third was thus described by the Court itself—"having a propensity to the constitutional system." And what did the House think was the sentence which this High Court of Justice, awarded against the person having this propensity?—that he should be sent to the gallies for life! Another case was that of a marquis, a subject of the papal territory, who was arrested at Venice by order of the Austrian government, and his papers seized, and from suspicions of his principles, created by the contents of those papers, he was sentenced to death; but this punishment was commuted to ten years imprisonment. To form some idea of the humanity of this commutation, he would only mention, that the imprisonment was to be in a solitary cell, loaded with irons, deprived of pen, ink, and paper, and of all communication with his friends, and allowed to walk in the open air for only half an hour every day. This unfortunate nobleman, at the time of passing this sentence, had a young wife and two children; the wife at the same time very near her confinement. These were some of the blessings of that liberal system by which Austria governed those whom this country had helped to put into her power! But her cruelty was not confined to her own dominions; for she had contrived, that the unfortunate persons who had taken refuge at Geneva, after the revolution of the last year, should be driven from thence; and they were wandering about without a home or a country, to which to look for protection. These were some of the results of that alliance against the liberty of man, which had been blasphemously called "holy." Was this a system to which the government of this country ought, in the slightest degree, to lend its support. Ought we, by any aid or countenance, to sanc-

tion attempts which were thus daily made to put an end to civil liberty, and to extinguish the light of freedom in Europe?

Mr. *Wilmot* thought the noble lord had overlaid his case, by indulging in a variety of observations which had nothing to do with the petitioner. This question had been already fully debated, and the noble lord would remember, that it was never pretended that captain Romeo had rendered no services. It had, however, been maintained that his services had been duly remunerated. It was to be remembered also, that though captain Romeo might describe himself as a principal, he was, in fact, but a subordinate agent. For what he had done he had been rewarded by a captain's appointment in a Calabrese corps, to consist of 700 men, which had never been embodied. When the war ended, he had been dismissed with a gratuity and two months pay. It was denied by the Neapolitan government, that the transportation of which captain Romeo complained, was the consequence of his connexion with England; and not only was this denied, but the specific causes of that step being taken were distinctly stated, and a series of acts detailed which it had been thought right thus to visit. The noble lord stated that which was calculated to mislead the House when he spoke of captain Romeo having been arrested while wearing the British uniform. If such were the fact, captain Romeo was wearing that uniform when he had no right to wear it. It was said, that the 300*l.* which captain Romeo had received was a very inadequate sum to be given in lieu of 50*l.* per annum. But it was to be borne in mind, that the 50*l.* per annum was not granted for life, but only for a certain period. Though he had been refused an English passport for Naples, he had been offered one that would have taken him to Spain or any country in Europe; but the government had refused to give him one which might make it appear that he had any authority from this country. He had the fullest authority for stating that captain Romeo had not suffered on account of his attachment to England. He did not know that it was now stated, but if not, it had been in a former petition, that the captain's property had been confiscated. This was not true. No such confiscation had taken place. His property, when sold, had been sold for his own benefit. He should not object to the petition being laid on the table; but certainly he conceived any further proceeding upon it unnecessary.

Sir *J. Mackintosh* said, that whatever doubts the hon. gentleman might entertain upon the subject, the object of his noble friend was quite clear—to make an appeal to the honour and generosity of the British government. Captain Romeo had rendered eminent services to the British army in a most dangerous situation; and for those services he had been most inadequately rewarded. It was admitted that the individual had rendered valuable services, the main point contended for being that he had acted, not in a principal, but in a subordinate capacity. Supposing this to have been the case, recollecting the nature of the plot which he had discovered, the remuneration had been wholly disproportionate. On this question, however, the hon. gentleman had differed essentially from the officers at that time in command of the British troops in Sicily. Lord W. Bentinck had borne testimony to the "important services intrusted to captain Romeo;" and general Maitland declared, that "it was chiefly by means of captain Romeo that such evidence was obtained as counteracted the mischief which the open enemies and treacherous friends of the British army were plotting against it." General Campbell's certificate was equally clear and decisive. The conspiracy discovered by captain Romeo was of a most formidable kind. The very ringleaders of it were, nevertheless, at this moment enjoying the favour of the court of Naples; nay, the hon. gentleman was too well acquainted with facts to deny that it had reached even the councils and the family of the king of Naples. After the detection of such a system of the blackest treachery, was it worthy of a great and generous nation to talk of an annuity of 50*l.* as an adequate compensation for such a disclosure? The hon. gentleman had, however, denied that captain Romeo was exiled and his property confiscated on account of this discovery; and his assertion was founded upon information obtained from Naples. This was nothing less than calling upon the country to discredit the assertions of four gallant British officers on the authority of the present Neapolitan ministers, who were themselves conspirators against the British army. It was strange, indeed, to institute such a comparison any where, but it was unnatural and monstrous to

attempt it in a British House of Commons. He was anxious, for the character of the country, that this stigma should be wiped away; and he took this mode of pressing upon the king's government, that it well became the rank and reputation which Great Britain held among the nations of the world, to give this gentleman a reward more adequate to the sufferings he had endured, and the services he had rendered. Surely his exile and his poverty, both occasioned by his attachment to this country, were no reasons for taking advantage of his wants and his powerlessness. It was of course to be expected that the Neapolitan government would insist that the charge on which the property of captain Romeo had been seized, was unconnected with the discoveries he had made in Sicily: but the four British generals were satisfied that he had been persecuted solely for the services he rendered to this country. It was unquestionably better, in a case like the present, to err on the side of liberality, than to allow it to be supposed throughout Europe, that the British nation had been guilty of a piece of such miserable penuriousness.

Mr. *Goulburn* was fully convinced, that captain Romeo had received a reward adequate to the nature of the services he had performed. Comparing his claims with those of other individuals, and the remuneration he had obtained with what had been granted to them, there was no disproportion calling for the interposition of the House. The reward assigned to him was that of a subordinate agent, and to those of higher rank little more had been given, although they were more importantly concerned, and had stronger testimonials in their favour. It was to be observed, that while captain Romeo was with the army, employed in collecting and giving information, he received his regular pay; but, long subsequent to the termination of these transactions, he made a demand for losses sustained to the extent of 2,500*l.* Was it to be supposed that the general officers commanding the British army would not have regularly allowed and paid these demands as they occurred, had they really arisen? They had not done so; and the inference, therefore, was strongly against the justice of the claims. With regard to the annuity of 50*l.* a-year, it was to be recollected, that it was in no respect certain or permanent, and when he (Mr. G.) fixed upon 300*l.* as the price of it, when captain Romeo wished to leave this country, he had deemed it an ample commutation. Having received the money, a difficulty arose about the passport, captain Romeo insisting that he ought to receive such a passport as was only given to British subjects. If he had intended to break off the negotiation upon this ground, it would have been proper that he should first have returned the money. Every possible facility, as far as respected a passport, was offered, had captain Romeo wished either to go to France or Spain; and a passage to Malta was offered to him. He believed that captain Romeo had not been banished on account of the transactions in Sicily, and that his property had not been confiscated. He believed this, not on the testimony of the Neapolitan ministers, but upon information obtained from the British ambassador. Under all the circumstances, he was of opinion, that this government had dealt honourably, justly, and generously by the petitioner.

Sir *R. Wilson* said, that several individuals had been arrested and put to death for treason in Sicily, in consequence of the discovery by captain Romeo of a conspiracy, the object of which was the destruction of the British army. He would ask, whether the frustrating of a conspiracy, which had justified the execution of the head of the police, did not call for a larger recompense than 300*l.*?

Mr. *Hutchinson* asked, whether any case at all parallel could be mentioned, where the remuneration was so insignificant? Captain Romeo had endured an imprisonment of five months, and was then banished to Egypt; and, after his property in Calabria had been confiscated, he was rewarded for all he had done and undergone by a wretched pittance of 50*l.* a year! This, too, after the unequivocal testimony in his favour, contradicted only by what our ambassador had been able to collect from the ministry at Naples. When captain Romeo complained to ministers, what had they done? They had referred him back to that government from which he had previously received the most cruel treatment. How did he prove his case? By the best of all evidence —the evidence of British officers. After remaining here for some time, he demanded a passport, to enable him to return to Naples; because, at that period, the friends of liberty were at the helm of

the Neapolitan government. Ministers refused to give him the passport he sought for. The noble marquis gave him a passport to Malta, and left him to make his way from that island in the best manner he could. The conduct which had been exercised towards him was, throughout, one continued tissue of deceit.

The Marquis of *Londonderry* said, that his view of the facts of the case, which he had detailed on former occasions, had not been in the slightest degree altered by any thing that had occurred that evening. One thing at least he was glad to observe on this occasion; namely, that the character of a police officer was more agreeable in the eyes of gentlemen opposite, when he performed his functions abroad, than when he was called on to execute them at home. There appeared to be quite a rush of gentlemen anxious to speak in favour of that character. Captain Romeo was an officer of that description, and, it was alleged, had performed services, under the observation of those military officers, whose names had that night been quoted. He complained that his services had not been requited; but he would satisfy the house that captain Romeo had not been treated harshly by this government. Now, much as he respected lord W. Bentinck, and disinterested as he believed the declaration of general Campbell to have been, still it was evident that their statement was not founded on inquiry, but was rather matter of opinion. Opposed to their representation, was the statement of sir W. A'Court, the English ambassador at Naples, who had thoroughly investigated all the circumstances of the case; and, from all the information he could obtain, he had come to the conclusion, that the statements laid before the British government by captain Romeo were not well founded. He learned that captain Romeo had sustained no persecution, and that he had been removed from Calabria on account of acts which he had done subsequently to the British troops being in possession of Sicily. Now, it could not be expected that this government was to demand protection for captain Romeo, against the consequences of any acts to which he was a party after the British troops had evacuated Sicily. Sir W. A'Court had examined all the facts minutely, and was decidedly opposed to general Campbell. The latter gave a loose opinion, that he believed this individual had been treated harshly on account of services which he had rendered to the British troops. This was strenuously denied by sir W. A'Court. With respect to the reward being inadequate to the services of captain Romeo, he would observe, that such a charge applied solely to the officers in question, lord W. Bentinck, and general Campbell. And he must be allowed to say, that, of all the errors they could possibly commit, want of liberality to those who had rendered service to the British army was the least probable. Now, if they had conceived that captain Romeo was not properly paid, they had the military chest at their command, and lord W. Bentinck had only to draw for any sum which appeared to be proper to meet those claims of service. Captain Romeo left the police of the army, and resided in the Neapolitan dominions after the British troops left Sicily; and it was not till two or three years subsequently that he removed from those dominions. It was said, that he could not have made his claim on this government sooner, because he had been sent to Egypt; but the fact was, that he remained for a considerable time in his own country, and did not apparently think of coming here. At length, he came forward with a claim for 2,500*l.*, which sum, he said, he had laid out in the service of the British government. He was asked for particulars: and then it appeared, on his showing, that the greater part of this money was given to the mistress of a French general, for extricating him from prison; but, was it not extraordinary that he did not carry his claim to the officers under whose observation he was said to have performed certain services? Besides, he should be glad to know how an officer of police, attached to the army, and on a very small scale of pay, could procure so large a sum of money and keep its expenditure a secret from lord W. Bentinck and general Campbell, although that expenditure was on account of the British government. Surely, if these officers were convinced that such a sum had actually been expended on account of the British government, they would have taken proper cognizance of it. But, when captain Romeo came here and made his statement, he could not avoid looking at his case as a very weak one. If he said any thing unpleasant to captain Romeo's feelings, he was sorry for it; but his own,

conduct had forced it from him. He could not think of going beyond the usual scale of reward on an occasion like this; and to give a reward to captain Romeo—which it was impossible to generalize, would be exceedingly unfair. If he had a just claim, which was not paid in Italy, he could only attribute the circumstance to some extraordinary oversight on the part of captain Romeo. Either he had forgotten to bring this charge of 2,500*l.* forward, or else the officers who had been so often mentioned neglected to investigate it; and the latter proposition he could not credit. As to the reward which had been conferred here, his right hon. friend had made out an unanswerable case in proof of its sufficiency.

Mr. *Hume* said, the ground which the noble lord took last year, when this subject was introduced to the House, was diametrically opposite to that on which he depended this night. He (Mr. Hume) had contended last year, and would still contend, that captain Romeo performed certain services of a most important nature, at the time the British troops were in possession of Sicily. That fact was not denied; but the noble marquis and the right hon. gentleman both contended, that there was no claim for remuneration. How stood the case? This individual had performed services which the authorities which had been quoted declared to have been useful; and he demanded a recompense for those services. Every person who at that time entered the British service in Sicily had the pledge of the British government, that they would be protected from the government of Naples. Under this pledge, captain Romeo proceeded to Naples, where he was arrested and lost his property; and on account of that loss, he applied to this government for relief. Last year, when he stated these facts, the noble marquis read a letter from sir W. A'Court, in which he stated, "that captain Romeo, after being arrested under the charge of committing some offence against the Neapolitan government, had escaped from prison." At that time, he (Mr. H.) happened to have in his possession, a letter from the Swedish consul, in which it was stated, that he had given captain Romeo a passport to go to Egypt, by direction of the Neapolitan government. This was the escape which captain Romeo had effected; and, when one of the noble lord's facts was so grossly erroneous, it might be inferred, that others were equally incorrect. Captain Romeo was tried and condemned to death, on account of his fidelity to the British government. In this emergency, he had recourse to bribery to save his life, and the sum of 2,500*l.* was given to the mistress of a French general, in order to effect that object. Captain Romeo was afterwards carried away from Italy by force, and he was left entirely destitute in a foreign country. With much difficulty he got to Malta, and he came as soon as possible from Malta to this country. His case was represented to the British government, and 50*l.* a year were granted to him, as a temporary allowance, pending the decision of his claims. At length, tired out by the delays of office, he wished, when a favourable opportunity presented itself, to be landed in Italy, under the protection of a British passport. The government was pledged to grant him such a passport as he demanded; but the Foreign office refused to comply with his request. His case was altogether one of great hardship. In his opinion, captain Romeo ought to have an allowance for life. Of this he was sure, that ministers frequently gave the public money away to much less deserving objects.

Mr. *Forbes* thought this was a case which deserved the attention of the British government. There was one circumstance connected with the situation of captain Romeo, which he begged leave to mention, that if it were not true, ministers might contradict it, and set the poor man's mind at ease. He was at present under the greatest apprehension that he would be arrested under the Alien act, and sent out of the country. On Friday last, some persons, who stated themselves to be police officers, had called at the house in which he rented a miserable garret at the rate of 4*s.* a week, and declared that they were sent to arrest him. He (Mr. F.) had assured him it was impossible that those persons could have been employed for that purpose; but he was most anxious to have the fact officially stated. This, he thought, was one of those cases in which ministers were penny-wise, as compared with others in which they were pound foolish. He had been assured that a large pension had recently been conferred on the lady of a meritorious general officer. He would not, however, state the circumstances at present, which he certainly would, if captain Romeo's case were neglected.

He had given up his pension of 50*l.* for the trifling sum of 300*l.*, when an opportunity to go abroad had offered itself to him. That pension of 50*l.* should, at least, be restored, to prevent him from starving in the streets. Was it consistent with British liberality to refuse him an adequate provision, when three British generals bore witness to his services? He had not six-pence in his pocket at present. A subscription for his relief had been set on foot some time ago, to which several respectable gentlemen affixed their names; but he had not experienced the same liberality which had distinguished other subscriptions.

The Marquis of *Londonderry* said, he feared the credulity of the hon. gentleman had been imposed upon. With respect to an order for sending this person out of the country under the Alien act, the alarm was totally groundless. He hoped the hon. gentleman would mention the case to which he alluded, and which he seemed to hold out as a threat for extorting a favourable reception of the petition.

Mr. *Forbes* said, he would then ask, whether a pension of 800*l.* per annum had not been lately settled upon lady Torrens, the wife of sir H. Torrens. It had been stated to him, that that gallant general had some time ago resigned the situation which he held, and taken one with less duties and an inferior salary, and that, in consequence, a pension to the amount he had stated, had been granted to lady Torrens,

Mr. *Arbuthnot* said, it was certainly true that a pension had been granted to lady Torrens. It was in the knowledge of the House that the disposal of pensions to a certain amount formed a part of the constitutional power of the Crown. Sir H. Torrens was well known to the country; and he thought that a pension granted to his lady, as an acknowledgment of his services, would never be considered an improper exercise of the royal prerogative.

Lord *J. Russell* thought that the testimony of the British generals ought to outweigh that of the Neapolitan government. He was quite sure that the government could have no intention of enforcing the provisions of the Alien act against the petitioner; and he did hope that they would reconsider his case.

The Marquis of *Londonderry* said, it was extraordinary, if there had been so large an outlay, as 2,500*l.* that captain Romeo should not have brought forward his claims in 1818 and 1819. It was the last thing that would have entered his mind to apply the Alien act to the present case.

The petition was ordered to be printed.

ORDNANCE ESTIMATES.] The order of the day was read for going into a committee of supply, to consider further of the Ordnance Estimates. On the question, "That Mr. Speaker do now leave the Chair,"

Mr. *Creevey* said, he should take that opportunity of doing what he had done last session; namely, of directing the attention of the House to a particular item in the Ordnance Estimates, which ought not to be included in them. He alluded to a sum of 4,670*l.* 14*s.* 6*d.* included in these Estimates, for the repair of the fortifications of Barbadoes. Now, the House must be aware, that there was a fund expressly provided for this purpose, by an act passed in the year 1663, imposing a duty of 4½ per cent on certain colonial produce, for the express purpose of furnishing a fund for repairing the fortifications of the island. Instead of being applied, however, to this purpose, the fund had been divided in pensions among persons of the higher orders, including gentlemen, ladies, and children. The act of 1663 had been solemnly recognized by the act of 1st of Anne, and directions were then given by the Queen, for applying the fund forthwith to the purpose for which it was raised. All this was admitted to be true, and the only answer attempted to be given was, that it had become the practice to give away the money to people of fashion. He really thought it high time to abolish this practice. When the country was labouring under the greatest distress; when the sovereign had felt the necessity of giving up a portion of his income; when they were waging war with clerks, in the bill now passing through the House, for the sake of reducing the public expenditure, it was too much to call upon the people of this country to pay a sum of 4,670*l.* for the purpose of repairing the fortifications in Barbadoes, when there was a sum provided by act of parliament for this express purpose, which sum was admitted to be given away in pensions and sinecures to persons of the higher orders. It was his intention to bring forward a specific motion on this subject

after the holidays; but he could not let pass this opportunity of moving, "That it be an instruction to the Committee to examine whether the duties of $4\frac{1}{2}$ per cent, raised in the Island of Barbadoes, are adequate to discharge the sum of 4,670*l.* 14*s.* 6*d.* which is comprised in the Ordnance Estimates of the present year, for repairs of Forts in the said Island."

The Marquis of *Londonderry* said, it was certainly competent to the hon. gentleman to make the present motion, with a view of entering his protest against the principle of the particular vote on the Journals. He thought, however, it would be more convenient, both to the hon. gentleman and to the House, not to discuss the question now, but to reserve his observations till the particular vote came before the committee in the estimates, or when he brought forward his promised motion on the subject.

Mr. *Hume* said, that the instruction ought in all fairness to be allowed by the noble lord. It was only to the extent of desiring the attention of the committee to it. The committee could dispose of it as they might think proper. On that ground he should oppose the present motion.

Mr. *Goulburn* said, that the committee of supply might leave out a particular vote; but it was not within its province to divide upon a general question of colonial policy.

The House divided: For the Instruction, 22; Against it, 62.

List of the Minority.

Bernal, R.	Newport, sir J.
Blake, sir F.	Phillips, G.
Belgrave, lord	Phillips, G. R.
Barrett, S. B. M.	Ricardo, D.
Butterworth, J.	Smith, hon. R.
Davies, col.	Western, C.
Fergusson, sir R. C.	Williams, W.
Kennedy, T. F.	Whitbread, S.
Jervoise, G. P.	Wilson, sir R.
James, W.	TELLERS.
Leycester, R.	Creevey, T.
Martin, J.	Hume, J.
Monck, J. B.	

The House having resolved itself into the committee,

Mr. *Ward* proceeded to move the Ordnance Estimates. The sum required was 1,244,000*l.* The grant was composed of five divisions—the ordinary, the extraordinary, the unprovided-for expenses, and the superannuations, civil and military. The charge upon the first was 473,436*l.*, being 74,329*l.* less than last year; upon the second, it was 292,744*l.*, being 21,620*l.* more than last year. The third was 9,884*l.*, being 30,457*l.* less than last year. The military superannuations, every charge inclusive, were 6,048*l.* more than last year, being 319,751*l.*: and the civil superannuations gave also an increase of 9,325*l.*, being 51,552*l.*; but the rise in the two last items was necessarily consequent upon the diminutions in the body of the estimates, seeing that those diminutions arose out of reduction of offices. The article of Ireland was 96,629*l.* being 15,207*l.* less than last year; and the total charge amounted to 1,244,000*l.*: deduct a presumed credit of 44,000*l.* for sales of old stores, lands, buildings, &c., and the sum to be voted was 1,200,000*l.*, which was a larger vote by 105,000*l.* than the vote of last year; but as the credit taken this year, 44,000*l.*, was 188,000*l.* less than that of last year, 232,000*l.*, the actual difference between the Ordnance expenditure of 1821 and 1822 was a saving in the present year of 83,000*l.*—Having stated, then, the amount of reduction, his next object was, to show the committee how that reduction had been effected. It had been obtained upon two branches—both upon the civil and the military departments—and the saving was chiefly in the ordinary estimate; upon the extraordinary, indeed, there was an excess, which would be accounted for. The right hon. gentleman then went into a detail of changes which had been effected. By the reduction of offices in the Tower and in Pall-mall establishments, there was a real saving (upon a charge of 43,000*l.* in the last year) of 6,200*l.* in the present; the nominal saving was 7,000*l.*, but a portion of it was created by transfers from the ordinary to the extraordinary; on the contingent expenses of the Tower and Pall-mall, there was also a diminution of 1,900*l.* There was a further deduction, upon all situations at home and abroad of 7,381*l.*; but that sum, though reduced upon the division "ordinary," was not an entire saving upon the total of estimate. In the article of ordinary repairs there was a decrease of 2,300*l.*: the whole amount of saving upon the civil ordinary expenditure would be 24,343*l.*; that saving arose out of the reduction of offices, persons in offices, and salaries of persons in offices; and, when the committee heard that the number of persons employed in the civil service was more than 100 out of 500 less in the present year than in the last,

they would confess that government had not been idle in its retrenchments. Now, the number of persons in the civil Ordnance department, from the master-general to the lowest clerk, being 385 (in the last year they had been 500), if that state were compared with the state of 1792, the difference would appear to be in favour of the present year; the number in 1792, independent of Ireland and the many colonies since added to this country by conquest, was 359; and, allowing for those then non-existent services 55, the number would become 414, being a balance of 29 in favour of the year 1822. The committee would believe that great pains and attention had been requisite to effect such reductions. It was an irksome duty for the head of a department to reduce the emoluments of persons who had long been in office; and nothing but an absolute sense of duty to the House and to the country could have enabled such officers to go as far as they had gone. The right hon. member then proceeded to observe upon his having promised many of the savings effected in his address upon the estimates of last year. It might, perhaps, be asked why the reductions had not at once taken place last year, or even before. The truth was, that the reductions had then been in contemplation; but it was not the work of a moment to judge of their probable convenience or effect. The master-general had, in fact, contemplated a total change in the constitution of the civil offices of his department: he wished to reduce the expensive offices of the clerks of the cheque, and the clerks of the survey; and, after looking himself completely through the subject, after having had the constitution and almost the particular detail of every duty laid before him, he had resolved to make an arrangement for the reduction of those offices. The right hon. member then went into a description of the course by which the business of the cheque and survey was proposed to be carried on. A still more considerable reduction than that at present effected was contemplated as years elapsed. The master-general was unwilling to take more from men who had been, some thirty and some fifty years in their situations, than the per centage deducted from all civil offices through the state; but, as soon as the holding of the present incumbents expired, fresh officers, at reduced rates of salary would be appointed; and the amount of civil expenditure, now standing at 130,000*l.*, would probably sink to about 75,000*l.* It would be evident to the committee, that the arrangements already stated would cast a considerable increase of business upon the board; but notwithstanding that fact, it was farther in contemplation to throw two great civil departments, which had often been observed upon in the House—the barrack department and the storekeeper's department—under the superintendance of the Ordnance. The scheme at present was in its infancy, and government was not prepared to say when it could take effect; but, upon investigation of the whole system, they had come to the determination, that the master general of the Ordnance, without any superintending officer, and merely by the assistance of the necessary number of clerks, would be enabled to perform the duty. At the same time he felt it necessary to say, that he only wished the departments might be as ably managed as they were under the gentlemen who now conducted them.—He now came to the savings in the military branch of ordinary expenditure. The committee would see that almost all the regular pay of the military was charged upon the ordinary expenditure; and he had to congratulate the committee on this part of his subject, upon an improvement in the military structure of one portion of the Ordnance service, which was solely attributable to the genius and activity of the master-general. The improvement to which he alluded was one which had taken place in the corps of gunner drivers. Lord Mulgrave had projected and commenced a change in the constitution of that corps, but the duke of Wellington had carried the scheme to perfection; and the proposal of the master-general was this—he would cut away altogether the officers of the drivers, and mix the men in due proportions in the companies of artillery. By that arrangement, the drivers would be under the immediate command and inspection of the officers who fought the guns, instead of standing as they did at present in a kind of anomalous situation, commanded by one set of officers in barracks and stable, and by another set in the field; 300 men (and 100 from St. Helena made 400) would be reduced; and in future all recruits would be enlisted to serve as gunners as well as drivers, which would obviate the existing arrangement of division into two distinct corps

altogether. The immediate effect of the above stated alteration would be a saving of the whole charge for the drivers, 17,590*l.*; but as some small addition would be created in the subsistence of those regiments in battalions to which the men might be drafted, the nett reduction ought to be stated perhaps at 16,000*l.* On the estimate for the corps of engineers there was an increase since last year of 790*l.*; upon that for the sappers and miners the increase was something under 100*l.*; the total military reduction came to 16,000*l.* some hundreds; and the military state, therefore, comparing the present year with the year 1792, would show a like advantage in favour of the present year: we had, allowing for Ireland and the colonies, 90 men less employed than in the year 1792, with the farther benefit of having now a relief of 250 on the seas for the service of our foreign possessions, while in 1792 we had no relief at all. There had been a small increase in the ordinary, by transfers from the extraordinary charge. There was a sum of 2,200*l.* for labourers —a mass of labourers formerly paid under the general head of Tower contingencies, being now carried to account under the different heads of the stations where they were employed; there was a further charge for a split item of stationery, 2,700*l.*, and another of 2,624*l.* for the field train. Another charge transferred into the ordinary was for clerks in stores upon the West India stations. Among charges transferred into the extraordinary division, was one considerable one of 16,000*l.* for barrack furniture: that now appeared under the general head "barracks" in the extraordinary; and there were other circumstances which led to an excess in that branch of the expenditure. The first of those articles was the cost of erecting a dam or sea-bank at Demerara. It was hoped that the colony would eventually be able to defray the expense of the dam; and, in that case government would repay the amount to the Ordnance department, but at present it stood in the charge of extraordinaries: the whole cost of the work was estimated at about 23,000*l.*; but 10,000*l.* was taken as the expense actually incurred in the year.—The right hon. gentleman then proceeded to state, that the effect of various articles contributing to swell the extraordinary charge, produced an excess upon that charge of about 21,000*l.*; and after a few cursory remarks upon the state of the extra pay, he declared that he thought it unnecessary, unless called upon by questions from hon. members, to occupy the time of the committee any farther upon the ordinary and extraordinary branches of the estimate. He now came to the unprovided-for expense; and there he trusted he did not speak too confidently when he said that he anticipated the approval of the committee. The unprovided-for charge, which was 9,884*l.* in the present year, had been 40,341*l.* in the last year, and 60,000*l.* in some years preceding. Under the auspices of the surveyor-general, to whose intelligence and activity the service was much indebted, a reduction in the Irish expenditure had also been effected to the amount of 15,207*l.*; the names of the persons reduced, and the amounts of their salaries, would be found detailed in the estimates. He sat down with moving, "That 35,843*l.* 17*s.* 8*d.* be granted for defraying the salaries to the master-general, clerks, &c. belonging to the Office of Ordnance, and employed at the Tower and Pall-Mall."

Mr. *Hume* admitted, that the officers of the Ordnance department had been active in their inquiries, but he was yet unsatisfied with the quantity of reduction effected. He would state his own view of what he thought might have been done, and would then leave the committee to judge between it and that proposed by the right hon. gentleman. Though one or two of the changes which had been effected appeared to him to be likely to produce a beneficial result, he thought that the board for the barrack department was kept up at a very heavy and unnecessary expense; and he should therefore make a motion to get rid of it altogether. He should submit to the committee the expenses of the Ordnance department at different periods, in order to enable it to decide what they ought to be at the present moment, by comparing them with what they had been upon former occasions. He should take the year 1817 as one period, and the year 1796 as the other, and in his view of the Ordnance expenses in those years he should leave out of consideration the amount of stores, and also the charges not provided for by parliament. In 1796, the ordinaries for Ireland amounted to 22,000*l.*—for Great Britain the ordinaries amounted to 121,000*l.*, and the extraordinaries to 156,000*l.*, making a total of 399,000*l.* In 1817, the same items formed

a total of 1,231,000*l.* In the years 1818, 1819, 1820, and 1821, the charge increased, and in 1822 it amounted to 1,244,000*l.*, being 2,000*l.* more than it was in 1817. Though the estimates this year exceeded the estimates of 1817 by that sum, still he would not conceal from the committee that the charges not provided for this year were only 9,000*l.* whereas in 1817 they were 50,000*l.* The right hon. gentleman had talked much of the reductions he had made, and he (Mr. H.) had consequently expected to hear of some reductions in the estimates for the sea-service of the Ordnance. In 1796, the estimates for that branch of the public service amounted to 41,000*l.*; in 1817, they amounted to 49,000*l.*; and in the present year, 1822, they amounted to 85,000*l.* Surely some reduction ought to have been effected on this head, or at least some explanation given why none had been or could be made. The right hon. gentleman had also taken credit to himself for the reductions which had been made in the civil branches of the Ordnance. After stating that in 1792 the number of individuals employed in the civil departments of the Ordnance in Great Britain and Ireland was only 385, he had added that the number now employed was not more than 414. There were no returns on the table which enabled him to say whether this assertion was correct or not; but assuming it to be so, he would still say that the best way of understanding the benefit produced by those reductions would be by examining into the constitution of each individual department. In the year 1796, the secretary to the board had seven clerks under him; in 1821, he had 30 clerks under him; and in 1822, he had 23 clerks under him. Now, the committee would observe, that here was a great increase in the number of persons employed. He would next call upon it to observe the increase in the expenditure. In 1796, 833*l.* was divided among the 7 clerks. In 1821, the salaries of 36 clerks, along with their gratuities, amounted to 10,310*l.*; and in the present year a reduction of 1,800*l.* was made in that sum, by the reduction of seven clerks. In 1796, there were 14 clerks under the surveyor-general, at an expense of 2,020*l.* inclusive of gratuities. In 1821, 36 clerks, at an expense of 10,621*l.*, inclusive also of gratuities; and in the present year, a reduction of 1,520*l.* was effected by the reduction of seven clerks. The hon. member then pointed out the increase in the number of clerks, and in the expenditure, which had taken place in the office of the clerk of the Ordnance, and of the principal storekeeper, since the year 1796; and afterwards declared that the only department, in which he found the number of persons employed absolutely reduced, was that over which the treasurer of the board presided. In 1796, the treasurer had ten clerks under him, at an expense of 1,203*l.*; in 1821, he had twelve, at an expense of 3,354*l.*; and in the present year, owing to four of them being reduced, he had only eight at an expense of 2,096*l.*—He had now pointed out the great increase which had taken place in the number of persons employed in four of the civil departments of the Ordnance; and he could not see how there could have been a reduction in the Ordnance which had brought the number of persons employed to within 79 of the number employed in 1796, when there had been 50 additional clerks employed in the busines conducted in Pall-Mall and the Tower. If that were really the case, the business of the Ordnance must be most unequally distributed. He recollected that it had been asserted on a former occasion, that the increased number of individuals employed by the Ordnance was owing to the increased number of stations. Now, this turned out not to be the case, since the increase appeared to have only taken place in the offices in Pall-Mall and the Tower. Those two offices, in his opinion, ought to be consolidated; and in that opinion he was supported by the report of the commissioners of military inquiry, who had declared that the business of them ought to be conducted under one roof. The clerks of delivery of stores at the Tower and Woolwich ought to be done away with; or, instead of there being two, only one should be permitted to remain. The commissioners of military inquiry declared that the Tower was far from being a convenient place for the reception of stores, and recommended that they should be kept at Woolwich, where one storekeeper could superintend them all. He must say, that he had expected that in the list of places to be reduced, that of clerk of deliveries would have been found.—The hon. member then proceeded to discuss how far it was proper to have a lieutenant-governor of the Tower in time of peace. In order to show that such an office was unneces-

sary, he quoted the declarations made by lords Moira and Chatham before the commissioners of military inquiry as to its positive inutility. He contended, that reductions might have been made in the civil branches of the Ordnance to three times the extent that they had been carried at present. Instead of there being four members of the board of Ordnance, members of that House, the commissioners of military inquiry had recommended that there should only be two; on the ground, that their attendance in parliament interfered with the performance of their other public duties. How far the carrying of that recommendation into effect would be productive of economy, he could not tell; but this he knew, that upon other grounds it would be most expedient; for it would prevent that full attendance of official gentlemen, which had gained to ministers at least two-thirds of their majorities during the present session. After a full consideration of the question, he had come to this conclusion, that though reductions had been made in the offices in the Tower and Pall-Mall to the amount of 6,000*l*. or 7,000*l*., reductions might have been made to three times the amount with equal attention to the service of the country, had a proper spirit of economy actuated his majesty's ministers. The whole expenditure of the offices in the Tower and Pall-Mall amounted in 1792 to 18,726*l*.; last year it amounted to 65,804*l*., and it was this year short of that sum by a few thousands. After pointing out the enormous increase which had taken place in the expenditure of this establishment, he said he could not help thinking that the heads of the department who had reduced the salaries of so many inferior clerks would have been equally well employed if they had turned their attention to the reduction of their own. If the master-general had taken 1,000*l*. a year from his own salary, many of those who had suffered by his retrenchments would have borne their fate with greater satisfaction. The master-general's salary was 3,175*l*. a year, so that he could well have spared 1,000*l*. from it. The lieut.-general, if his office were not altogether abolished, could at least have spared something from his salary of 1,566*l*. a year. So, too, could the surveyor-general, with his salary of 1,236*l*; the clerk of the Ordnance, with his salary of 1,286*l*.; and the principal storekeeper with his salary of 1,600*l*. a year—a salary, which, in 1792 was only 693*l*. For his own part, he could not help declaring, that he thought any thing above 1,000*l*. was a very large sum indeed for a storekeeper. The treasurer of the board could also spare a small portion of his gains. It was true, that in 1796 the treasurer had been allowed to hold balances, and that he was now deprived of all emoluments from that source; still he was of opinion that the gentleman who held that office would be well paid with 1,000*l*. a year. At a time of such general distress, every public officer should sacrifice some part of his emoluments. He should be happy to hear an explanation of the grounds upon which these salaries had been left untouched. If a satisfactory explanation could be given, he should not say another word; but if not, he should propose to reduce the present vote by 10,000*l*.

Mr. *Ward* asserted, that, though some offices might be dispensed with, no such sum could be saved in the barrack department as the hon. member had suggested. With regard to the year 1792, he had already taken a view of our Ordnance establishments at that period, and remarked that, upon enumerating all the subtractions which had been made, it appeared there was a diminution in our favour at present of 29 clerks. It was true that the charge of the establishment in Pall-mall had been augmented; but this was in consequence of the very great access of business which had there taken place. An immense portion had been transferred from the out-stations to Pall-mall and the Tower. As to the store-keeper at the Tower, it should be recollected, that he was now the auditor of the store-accounts, and the hon. gentleman seemed not to have noticed, that the sum of 1,800*l*. in last year's estimates, and which was omitted in the present, was for assistant and temporary clerks—not for clerks of the regular establishment. It was a mistake to suppose that gratuities amounting to 22,000*l*. were confined in their distribution to the offices at the Tower and in Pall-mall. Under all these circumstances, he could not but regard the hon. gentleman's conclusion, that 10,000*l*. should be arbitrarily taken from the present vote, as extremely erroneous. If the hon. member were himself to witness the labour performed by the officers and clerks, and more especially by the secretary, he would, with even his great physical powers, admit that it could not be exceeded. A new system had

been introduced under the immediate authority of the master-general, by which all the clerks were subjected to vigilant superintendance, and the periods as well as duration of their attendance minuted, in order to be reported to their chiefs. Some of them were occasionally detained till a late hour in the evening, for the purpose of bringing a particular account or branch of business to a completion. If 10,000*l.* were to be arbitrarily taken away the business could certainly not be performed. The hon. member, in alluding to Ireland, had likewise gone back a great many years; and he must beg to remind him and the committee, that at the time mentioned there was a master-general for Ireland, at a salary of 1,500*l*, per annum. The Ordnance in that part of the United Kingdom required at this moment their utmost attention. To come, now, to the hon. gentleman's observations on the amount of salaries and pecuniary allowances, he could not believe that the committee would consider the master-general's as excessive. He (Mr. Ward) held the appointment of clerk of the Ordnance, and although entitled to no benefit from the new superannuation bill, should be called upon, with all who held the higher or more lucrative situations, to relinquish 10 per cent of his official income. Neither would this result be prevented by the circumstance of its being already 100*l.* less than it was in 1792; unless indeed, hon. gentlemen on the other side would interfere on the score of justice, to vindicate his claims. [Hear.] The treasurer (Mr. Holmes) was to lose 120*l.* of his salary, and had, it was well known, always submitted his accounts to the Audit-office, with a clearness and regularity that obtained for him the highest credit. He was one of those included in the superannuation bill, but he sincerely hoped it would be long before his hon. friend felt disposed to avail himself of that advantage. It was true that the commissioners of military inquiry had recommended a junction of the offices at the Tower and in Pall-mall under one roof; and the board had been much engaged in the consideration of this subject. They had not come to any determinate opinion, though it was obvious that they who were habitually conversant with all the details and regulations of the department, must be more competent to form a solid judgment, than a few gentlemen pursuing their inquiries for a short time, and deriving no knowledge from their own experience. He entirely disagreed with their report, and was ready to contest it with the hon. gentleman, point by point. It was not then the time to enter into any question as to the due influence of the Crown, but he might observe, that only three members of the board of Ordnance sat in that House. The hon. gentleman seemed to think, that the post of lieutenant-general might be dispensed with, but in his (Mr. Ward's) view, it was a situation of considerable importance, as much of the civil business of the Ordnance partook of a military character. With regard to the construction of the board, he was aware that some eminent persons had at different times imagined that it required alteration: but it was an error to suppose, that lord Chatham or lord Mulgrave ever went farther than to propose it as a matter for consideration. The duke of Wellington whose eyes were about him as much as if he were in the face of an enemy, had not come to any such conclusion. He trusted finally, that the committee would not be induced to support an amendment having for its object an arbitrary reduction, on no other ground than that some years ago a certain portion of business was done for less than the sum now estimated by those who had been long engaged in this branch of the public service, and who ought to know best all that related to it.

Mr. *Ellice* agreed with his hon. friend, that considerable farther reductions were practicable, and that a junction might be advantageously effected between the two establishments at the Tower and in Pall-mall. How was the House to come to a right conclusion on this subject, if they undervalued the recommendations of persons specially appointed by the Crown for the purpose of inquiring, when there was nothing on the other side but the statements of those interested against them? As to the amendment, there was one principle on which he would support it, and every other, directed against an increase of emolument as compared with the year 1796; and that was, unless it could be shown, that the business for which it was granted had proportionately increased likewise. No gentleman expected his private property to increase above that standard, and painful as the process must be, the necessities of the country demanded farther reductions. He did not see why the master-general's allowance should not be diminished; sure he was, that if

3,000*l.* was a fit salary some years ago, and during the depreciation of money, it was too much at present. His hon. friend contended, night after night, against a host, but with very little success; yet the time was approaching when the public would be no longer able to sustain the pressure. It had been recently stated that the half-pay of military officers was in the nature of a retaining fee, by which they engaged their services as in the event of a new war. Now what he wished to learn was, whether the superannuation allowances were to be regarded in the same light, and whether vacancies in civil appointments were to be filled up from what was to be called the retired list? He was convinced that the country had yet only arrived at part of its distress; and it was the duty of every member to see that both efficient and non-efficient offices were placed on a footing strictly just. The reductions proposed by ministers were far from adequate to the occasion. He considered the mere sacrifice of 10 per cent by persons holding the highest offices as little better than a mockery; and if a division should be pressed, he would certainly vote for the amendment.

Mr. *Ward*, in explanation, observed that most of the appointments were from the officers on half-pay, but that in some cases it was necessary to introduce new persons.

Mr. *Hume* contended, that he did not deserve the imputation of proposing reductions arbitrarily. He had entered into particulars, and shown how savings might be effected. He even quoted in support of his recommendations the recorded opinion of a commission which had investigated the subject. In the store-keeping department alone, by the adoption of the reforms which the commissioners had pointed out, and which he had re-urged, the whole saving of 10,000*l.* might be effected. The allowances of the master-general should not be the same in peace as in war. While the heads of departments continued to enjoy undiminished emoluments, he could not allow that any symptoms of economy appeared whatever talk they might hear of it. He would conclude by moving, that the vote be reduced by 10,000*l.*

The committee divided: For the amendment 30. Against it 95. Majority against the amendment 65. The original resolution was then agreed to.

List of the Minority.

Barrett, S. B. M.	M'Donald, James
Benyon, B.	Maule, hon. W.
Bernal, R.	Monck, J. B.
Birch, J.	Palmer, C. F.
Blake, sir F.	Pym, F.
Bright, H.	Rickford, W.
Bury, visct.	Ricardo, David
Creevey, T.	Robinson, sir G.
Davies, col.	Robarts, col.
Dickinson, W.	Rumbold, C. E.
Fergusson, sir R. C.	Scott, James
Griffith, J. W.	Smith, W.
Haldimand, W.	Whitbread, S.
Hume, J.	Wood, ald.
James, W.	TELLER.
Jervoise, G. P.	Ellice, E.
Lushington, Dr.	

HOUSE OF LORDS.

Tuesday, March 26.

AGRICULTURAL DISTRESS.] Earl *Grey* wished to ask, whether the House was now in possession of all the measures which the government meant to propose for the relief of the Agricultural distress?

The Earl of *Liverpool* observed, that a committee had been appointed by the other House to inquire into the distress, with a view to some general measure on the corn trade; but what the result would be, he could not pretend to say. He himself was not aware of any particular proposition being in contemplation, in addition to the measures which had already been brought forward.

Earl *Grey* believed, that those who were suffering from the depressed state of agriculture by no means thought it likely that they would obtain any practical relief from the labours of the committee alluded to. For his own part, neither now, nor at the time of its appointment, did he expect any advantageous result from its inquiries. Finding, then, that his majesty's government had it not in contemplation to propose any farther measures of relief, aware that the distress had increased instead of diminished, convinced that the measures which had already been proposed were most trifling and nugatory, and believing that the reduction of taxation was the only means whereby relief could be procured—he would on as early a day as possible after the holidays, bring the distress distinctly under the consideration of the House; and also that measure, from which alone relief could be expected; namely, the reduction of taxation.

Civil List and Allowances to Foreign Ministers.] Lord *King* rose to call their lordships' attention to the subject of which he had given notice. He proposed to move an address to his majesty, praying that he would be pleased to order further reductions in certain parts of the Civil List. It had been his intention to propose, that their lordships should thank his majesty for those reductions which he had already ordered, and particularly in that part which was more peculiarly personal to his majesty; but the forms of the House prevented him from executing this grateful task, because their lordships had not before them any regular information of what had been done. But, as a part of the public, they might be permitted to know the fact, that a reduction which parliament could not have asked had voluntarily proceeded from the king. This act of his majesty had given great satisfaction to the country; but in proportion as that satisfaction was great, so was the disappointment at finding that no farther reductions were to be made. And here he must repeat his regret, that he was denied the opportunity of framing an address in the shape he had at first intended. He was of opinion when the Crown made a sacrifice for the benefit of the subject, it was the duty of parliament to thank his majesty for so gracious an act. It appeared to him that it would have been far more decorous if a message on the subject had been brought down to both Houses, and the sense of parliament taken upon it by voting an address. Why ministers did not adopt this course, he was at a loss to know, unless they had at length resolved to do good by stealth. As, however, the offer of a reduction of his majesty's personal expenses had so graciously been made, he could not but be surprised at the reluctance evinced in the other departments of the civil list to follow the laudable example which had been set them. He thought it would be casting a very improper reflection on that House were he to suppose that a proposition for reductions in the civil list would be an ungrateful topic to their lordships. Many of their lordships, it was true, held situations which connected them in some measure with the subject, but he could not but think that they occupied such situations for the honour, and not for the profit, attached to them. It would be difficult to place the points to which he had to call their lordships' attention in a clear point of view, owing to the obscurity in which the accounts of the civil list were involved. Were there indeed any public accounts not involved in obscurity? They were drawn up in the best manner possible for preventing the profane eye from looking into the arcana of office. But, notwithstanding the difficulties he had to encounter in unravelling these accounts, he was confident that he could prove to their lordships, the existence of the same wasteful expenditure in the civil list as in the other departments of the state. That expenditure had been defended on the ground that influence and patronage were indispensable. But if such an application of expenditure was necessary in other places, there surely could be no need of it in that House.

With regard to the object of his motion, he could scarcely anticipate its being contended that parliament was not competent to regulate the civil list. It was true that on his majesty's accession the civil list was granted him for life. But, if abuses were to take place with regard to the revenue of the civil list, surely no one would say that parliament ought not to inquire. If it should turn out that the allowance was not sufficient, parliament would be called upon to inquire; and if it should appear to be more than sufficient, surely parliament was in that case equally competent to institute an investigation. He should, before he sat down, show that the allowance of the civil list was in one branch far more than sufficient—he meant that branch which related to foreign ambassadors. By act of parliament that branch was separated from the others, and the Crown had no interest whatever in keeping up the amount, as no benefit could be derived from such a proceeding. According to the act of the 56th of the late king, any saving from this class cannot be carried to another branch of the civil list, but must go to the consolidated fund. The Crown had, therefore, no interest whatever in preventing the allowance to ambassadors from being reduced. The classification which had been last made was not such as ought now to be adhered to. The estimate of 1816 was made in the contemplation of very different prices, and a state of things not at all corresponding with those now existing. He understood that besides the reduction of 30,000*l*., which was personal to his majesty, it had

been proposed to reduce to the extent of 25,000*l.* in the other departments of the civil list. This he thought was very far short of what ought to be done. He would read to their lordships a speech of queen Anne, which would remind them of what had been done by that great princess in a period of difficulty. In giving her assent to the bill which granted to her a civil list revenue of 800,000*l.* she gave up to the public 100,000*l.* Her words were —"Gentlemen, I return you my kind and hearty thanks for continuing to me, for my life, the same revenue you had granted to the king. I will take great care it shall be managed to the best advantage, and while my subjects remain under the burthen of such great taxes, I will straiten myself in my own expenses, rather than not contribute to their ease and relief, with a just regard to the support of the honour and dignity of the Crown. It is probable the revenue may fall very short of what it has formerly produced: however, I will give directions that 100,000*l.* be applied to the public service in this year, out of the revenue you have so unanimously given me." This, their lordships would observe, was a sacrifice of one-eighth of the whole revenue of the civil list, whereas that now made was not more than 3½ per cent. The civil list acts of 1817 and 1820 were formed on the estimate of 1816. He held that estimate in his hand. It appeared from thence that 60,000*l.* was in 1816 and in the present year, the amount of his majesty's privy purse. The charges on the first and second classes were precisely the same. The salaries to foreign ministers amounted to 226,950*l.*; the expenses of the household to 209,000*l.*; and the salaries to the officers, 140,700*l.* The noble lord ran over all the classes under which the expenditure of the civil list is usually stated, and showed, that in every case they nearly coincided in the bill of 1820 with the schedule of 1816. It should be recollected, when this comparative statement was made, what was the comparative scale of prices at the two periods. In 1816, the price of all articles had not fallen to the state at which we now found them, nor was the distress then equal to that which now pressed upon the nation.

Having proved that the civil list expenditure of 1821 was formed on the schedule of 1816, he would proceed to show that the new arrangement of the civil list, adopted in the act of 1820, was not conducive to economy. Formerly, when a sum was voted to defray the whole expenses of his majesty's civil list, it was thought sufficient if the Crown kept within the limits of the amount granted. If it exceeded in a particular year in one branch, it retrenched in another, and the retrenchment in the latter balanced the excess in the former case. Thus the debt, if any was created, in one class, was absorbed by the saving in another. Such was the situation of the civil list before the late arrangement. Now what was the consequence of that arrangement? It provided that one branch of the civil list revenues might be expended without calling for any inquiry, and that the other should be brought under the revision of parliament; and since that time the expenditure had increased. Accounts were, indeed, submitted to parliament, and estimates were brought forward; but this was generally done in a manner which made its revision no efficient control. Such accounts were usually submitted to the House at the end of a session, when there was a thin attendance of members, or at a late hour of the night, when there was no disposition to examine them. The excess of expenditure over the allotted income was thus less effectually prevented than when the old method was observed of voting a fixed revenue, and allowing the Crown to dispose of it according to its discretion. This would appear from the fact that those services which cost the country in 1792 the sum of 898,000*l.* now cost 1,300,000*l.*; and all the charges which were defrayed from the civil list of 1792, namely, for the royal family, junior branches, pensions, and all the classes of the civil government (some of which were, by the bill of 1820 separated from the usual civil list expenses), required in the year 1816 the sum of 1,847,000*l.* and relieved of the Windsor establishment, required in 1821 the sum of more than 1,600,000*l.* The increase, therefore, amounted to about a third of the whole expenses of the civil government, being 600,000*l.* beyond the scale of 1792. In times of distress, when the most numerous class of the people were suffering severely from the pressure of the public burthens, it became the great officers of state to show that they sympathized with their sufferings, and bore their share of the burthen. Now, the increase which he had stated of the amount

of the civil list by no means showed any such sympathy. It was true, that the great officers of state were to surrender a per centage on their incomes, but the country had no reason to be satisfied with the proposed reduction. Various branches of the civil list called for reform, and admitted of obvious retrenchment. It would be recollected, that in 1817 a bill was introduced, on the recommendation of a special committee, to abolish sinecure places, and to substitute in their room certain pensions to be given to the great and efficient officers of state upon their retirement from office. He had moved for a return, which had not yet been presented, to enable their lordships to see what benefit had resulted to the public from this act, on comparing the savings which it effected with the new provision for the great officers of state which was at the same time created. The places to be abolished were about five or six. One of them was the sinecure of clerk of the pells; another, that of chief justice in Eyre. He should now wish to know what advantage the country had as yet derived from these abolitions. He knew not whether a noble viscount opposite (lord Sidmouth) had obtained one of the pensions, but a near relative of his held the clerkship of the pells, which was one of the places included in the bill of 1817. In the reform of that year, it was proposed to abolish certain sinecures of Scotland, which were not reduced, because it was discovered that their abolition would be inconsistent with the act of union. This objection reminded him of a difference that arose about the promised repeal of a tax, when it was observed, that if there was any doubt on the subject, the public should have the benefit of that doubt. "Then, in that case," it was replied by the friend of the Treasury, "the money should come into the Exchequer, as that is presumed to be for the benefit of the public." The presumption in favour of supporting a useless office, derived from the act of Union, was of a similar description. Mr. Burke had proposed the reduction of various places when the vested interests in them should expire; and these vested interests still, in some instances, prevented the public from deriving any advantage from his economical reforms. There was the keeper of the king's buckhounds, who was never now called upon for the performance of his official duties; and the master of the hawks, the continuance of whose office could not be defended on any ground of utility or equity, unless it was supposed that the hawks had a vested interest in their master.

He now came to the expenses of the third class of the civil list; namely, that which included the charges for foreign ambassadors and ministers. And here he would again refer to the same head of expense in 1791, and compare the charges of that year and the last. He found there a general increase of all salaries and allowances since the former period. Nothing remained as it was, and nothing was diminished. The states of Europe had undergone great changes during the interval; some of them, which were then important, had been reduced in their extent, or stripped of their influence; and others, whose power was then insignificant, had obtained considerable rank and consequence. But it was a remarkable fact, that the expenses of none of our missions were diminished by this fluctuation of power. With states whose importance was destroyed, we found it advisable to support a mission at a greater expense than when circumstances were entirely different. The return on the table was very imperfect, as it did not include the salaries and allowances of the secretaries of embassy. The whole amount of the expenses of foreign embassies in 1791 was 89,590*l*. In 1821 it rose to 133,840*l*. exclusive of the secretaries of legation 13,850*l*. and consuls 30,000*l*. making in all 177,690*l*. This did not include the amount of pensions, the extraordinaries for out-fit, &c. which, when added to the former sum, would raise it to 288,000*l*. In 1791, the expense of foreign ministers and their secretaries, without including pensions, amounted to about 89,000*l*. He believed he was not far from the truth when he stated the whole charges of our foreign missions in 1791, inclusive of salaries for secretaries, pensions, and allowances, at 120,000*l*., while the same establishment in the year 1821 cost the country 288,000*l*. There was thus an increase of 140 per cent during last year, as compared with the year 1791. And while this increase of 140 per cent had taken place in the expenses of our foreign missions, what reductions did government propose, in compliance with the recommendation of parliament and out of a regard to the distressed state of the country? They only proposed a reduction of 10 per cent! If he were to

recur to the accounts laid before parliament in 1816, he might point out many items of great extravagance. In 1815, the sum expended in extraordinaries amounted to 145,000*l.* Lord Stewart had, at two separate times the sums of 5,000*l.* and 6,000*l.* for extraordinaries and journies; and lord Cathcart sums to nearly an equal amount. This was the *annus mirabilis* of diplomatic extravagance, and was not less remarkable for the profusion with which our ministers squandered the public resources, than their cold-blooded indifference to the inroads made on general liberty and national independence. The ease with which they surrendered the weak to be destroyed by the powerful—the sacrifice of human rights which they permitted or encouraged, were of a piece with their absurd and unnecessary profusion. The extraordinaries which had been calculated at 50,000*l.*, amounted to 80,000*l.*; and the presents to ministers of foreign powers alone cost 15,000*l.* He could not divine on what principle these presents were distributed. He found that Russia was a great sharer in these marks of favour, and that her ministers and ambassadors had received, in the shape of presents, in one year, more than 12,000*l.*

He would again recur to the effect of the bill of 1816. It was said, that that act would prevent extravagance, by making it necessary to submit every charge to the revision of parliament; but there had never been greater extravagance witnessed than since it passed. In a report on the civil list, presented by a select committee, it was stated, that the more the salaries increased, the pensions might be expected to diminish. Now he would wish to ask if this expectation had been realized, and whether the pensions had diminished? He could himself answer no, and he could tell the reason why. The diplomatic situations were now so much the rewards of parliamentary interest, that persons who had friends with the necessary influence were sent abroad to qualify themselves for receiving pensions. When they were duly qualified, they returned, and were placed on the pension list, to make war for others who qualified themselves for profitable retirement, and returned to enjoy it in the same manner. Both pensions and salaries had thus increased from the same cause—the necessity of gratifying powerful supporters. At the time when the scale of salaries was fixed, there was some plausible reason for an increase, from the augmented price of living, and the rise in the exchange against this country. It was stated before the conclusion of the war, that in the transmission of salaries to our agents abroad, between 25 and 30 per cent was lost by the state of the exchange, making thus a difference of one-fourth in the value of their income. The restoration of a favourable state of exchange ought, therefore, to be the ground of a reduction to the same amount. Why had the salaries of ambassadors not been reduced in proportion to the diminished operation of the cause which had raised them? Why were these extravagant appointments to be continued? The only answer was, that they were the means of patronage. The greatness of the allowance was no benefit to persons who, without family influence, wished to dedicate their lives to diplomatic employment. It was, on the contrary, a serious injury: because it enabled persons, qualified only by family connexions, and incapable of entering into competition with them for talent and experience, to outrun them in the race, and to cut off all prospect of promotion. There were, indeed, one or two exceptions, and he might mention sir Charles Stuart as an honourable one. But we could not expect, under the present system, such men as Mr. Ellis, or Mr. Eden, the late lord Auckland. The great diplomatic appointments were reserved for individuals who had great family interest, or parliamentary influence—whose brothers, fathers, or relatives, were members of this or the other House. It did not matter in that case what was the duty; the salary was alone consulted. The kingdom of Saxony had lost one-half of its territory, but we had sent to Dresden an ambassador, with an increased salary. The Hague was formerly an important diplomatic station, from the great influence of the republic of the states in the affairs of Europe. Now, neither the power nor the politics of the court of the Netherlands deserved much attention, or required much vigilance: but we maintained at the Hague and at Brussels as expensive an embassy as at Paris. Considering the present distressed circumstances of the country, he did not exactly see why lord Clancarty should be paid 12,000*l.* a year to enliven a Dutch town with his presence. If the latter was not very much overpaid for the duties he performed, sir C. Stuart

was very much underpaid for his. If, again, he looked towards the Swiss Cantons, he found that a duty, which was formerly paid by 250*l*., was now considered worth 3,900*l*. The persons who performed these duties at the different periods were, however, different. It might be extremely convenient for the relative of the family which now engrossed the Board of Control to receive such a salary, but it was not so easy to see what equivalent advantage Mr. Wynn could render the public. Mr. Gibbon had observed of sir W. Hamilton, that he corresponded more with the royal society than with the king's ministers, and was more engaged in observing the phænomena of Mount Vesuvius, than in watching the politics or the conduct of the court of the Two Sicilies. Our ambassador in Switzerland, in this view, might be of great use to the progress of mineralogical science, if his taste lay in that track; but he was too highly paid for any diplomatic exertions which he might be required to make. This gentleman had been sent to Dresden long ago, where he was likewise well paid, and where some losses which he had incurred had been amply compensated. He had his library burnt, containing, no doubt, the *Jus Gentium*, Puffendorff, and other appropriate works; and for this he received an indemnity of 5,414*l*. This was the greatest diplomatic job he had ever heard of. A gentleman was to receive 3,900*l*. for a duty executed formerly for 250*l*. What was the nature of the defence which was to be set up for all this extravagance, he was at a loss to conjecture. He could scarcely imagine how the office of a third secretary of state, how the existence of so extensive a system of diplomacy, and such a host of retired diplomatists, could be justified in times like the present. Surely no one would contend that it was to maintain the balance of power in Europe! If it were asserted that it was necessary in order to maintain the balance of power in the House of Commons, that would be an intelligible proposition; but to talk of the balance of power in Europe at the present day would indeed be absurd. Did the noble earl opposite mean to contend, that in order to preserve the independence of the north of Italy, it was necessary that we should have an ambassador at Turin with 6,000*l*. a-year? Would he say, that if we had not residents at the various German courts at a similar expense, the independence of Germany could not be maintained? Would the noble earl assert that the Netherlands would be over-run by France, unless we had an ambassador at that court with a salary of 12,600*l*.? If the noble earl were to declare all this, many of the individuals themselves seemed determined to prove, by their non-residence, that the noble earl was in the wrong; for they were seen walking about the town, as if to show that the business which they were appointed to do could be done as well without them —that the diplomatic curates were as competent to the discharge of the functions of their offices as the rectors. He begged, however, to do his majesty's present government justice for the economy which they had exhibited. They had actually dismissed one clerk from the office of one of the secretaries of state. Nor had they sent any ambassador to the court of Lisbon to compliment the king of Portugal on his return to his native dominions; although a few years ago, before the king returned, they did send an ambassador for that purpose. With a due regard to economy, and to the burthens of the country, that appointment had been dispensed with.

Now, he wished to know distinctly, the total amount of reductions made under the act of the 56th of the late king, and the extent to which they had been carried, according to the provisions of that act, to the consolidated fund. This class of the civil list was extremely important. What he complained of was, that there were two many embassies of the highest rank; and he doubted not that the intercourse with other states might be maintained with much less both of form and expense. We had formerly no ambassador, either at Vienna or Petersburgh; and what was there in our situation that should render such a change expedient at this moment? On the contrary, every diminution of expenditure that was practicable ought to be adopted. There could be nothing improper or disrespectful in applying to the Crown for a curtailment of expense, and as near an approximation as possible to the establishment of 1792. He doubted not the gracious disposition of the Crown, to comply with their representations. But he should perhaps, hear it urged, that our foreign ministers had either received no increase in their allowances, or no increase beyond what was absolutely necessary. His be-

lief was, that the same would be said, if their salaries were doubled or quadrupled; and that the retention of influence and patronage was the sole object and motive of all this extravagance. It might be argued, however inconsistently, that there were now many more English travellers whom our ambassadors must of course entertain than at former periods. On other occasions, his majesty's ministers had made it a matter of complaint, that the number of English travellers was so considerably increased. The fact was, that these large allowances, however they might be defended under this or that pretext, evidently proceeded from a design, long entertained, of augmenting the influence of government. Even at home the treasury was not satisfied without drawing to itself the influence of all the other boards and departments. The customs as well as the excise had yielded up their proportions. The expense of collecting the revenue was 1,250,000*l.* greater than it was formerly; and here again was a vast accession of patronage. So, too, with the army and navy: the system under which they were governed had the utmost tendency to increase it. Let their lordships consider also the office of commander-in-chief, and the staff annexed to it: let them reflect on the office of third secretary of state; on that nest of jobs, the India board, and the utter uselessness of either one or other of these two last departments. It surely could not be denied either that the affairs of India might be transferred to the colonial office, or the care of our colonies to the India board. The support of influence could alone account for the maintenance of these offices. They were evidently kept up for no other purpose, or at least to this purpose every other consideration gave way. This was now more than apparent. It had been lately and for the first time shamelessly avowed in another place, that offices, whether useful or not in other respects, were sometimes necessary on account of the influence which they afforded. Thus it should seem, that the present ministers lived upon influence—that it was their only natural support—that upon it their authority, power, and existence entirely depended. If their military administration were examined with so much attention, and the triumphs of their foreign policy ever so justly estimated, it would be found, that there was no campaign which they had carried on so successfully as that against the independence of parliament. In pursuance of this object, they had not been led away into petty diversions; there were no untried schemes, like the nibblings at West India islands, or expeditions to the Helder, which had made them forget, or sacrifice for a moment, their original and favourite purpose. All their talents had been displayed, and all their perseverance exercised, in this warfare. Here they had been regular, uniform, undeviating in their conduct; and he must do them the justice to say, that although, in whatever was salutary or good, they had shown themselves to be powerless, in all that was mischievous they were neither feeble nor inactive, and had, during the thirty years that the government had been vested in their hands, done more to corrupt the purity, and overthrow the independence of parliament, than had been done for a century before. No reason could be assigned for not extending reductions and abolishing useless places, except, that the patronage of ministers would be thereby diminished; and the noble earl and his colleagues declined the saving of millions where it was practicable, because it would leave them less with which to gratify their supporters and adherents. He had heard of millions sacrificed in order to add a peppercorn to the revenue: here millions were sacrificed with views extremely different, and consequences much more deplorable. Important as would be the saving to the country by the reductions which he recommended, that advantage would be as nothing compared with the advantages arising from the diminution of the undue influence of the Crown. The noble lord concluded by moving the following Address:—

"We, your majesty's dutiful and loyal subjects, the Lords Spiritual and Temporal of Great Britain and Ireland, in parliament assembled, most humbly represent to your majesty, that the expenses of the civil government have been greatly increased in various branches formerly charged upon the civil list revenue, now forming part of the supplies of the year, but more particularly in that class of the civil list which comprises the salaries and allowances of foreign ministers. That by an act passed in the 50th year of his late majesty, provision was made for the future annual charges of the several classes of his majesty's civil

list in consequence of an estimate laid before parliament for that purpose, and that with regard to the expenses of the third class, it was further provided, that in case any surplus or saving should have arisen in that class, it should be lawful for the lord high treasurer or commissioners of the Treasury, and they were thereby required to direct the same to be carried to the account of the consolidated fund.

"That the expenses of the said third class appear greatly to exceed what is required for the public service, and that the reduction of the same, and the application of the saving made in consequence thereof, according to the provisions of the 56th of his late majesty, would, in the present distressed situation of the country, be conducive to the relief of your majesty's suffering subjects.

"We therefore approach your majesty with the humble expressions of the earnest hope, which, from your majesty's constant disposition to meet the wishes of your people, as well as from the proofs recently given of your majesty's paternal attention to the distresses of your subjects, we confidently entertain, that your majesty will immediately give the necessary orders for effecting a reduction of the expenses attending the appointment of foreign ministers, and also for making such further reduction in the other charges of the civil government, as may be consistent with the support of the true dignity of your majesty's Crown, which it will at all times be our anxious desire to preserve unimpaired."

The Earl of *Liverpool* began by remarking, that it might be imagined by any one who had heard only the speech of the noble lord, that his majesty's ministers were animated by no feeling except that of a wanton disposition to increase the public expenditure. Now, this appeared to him a most extraordinary as well as unfounded charge, seeing that their lordships had before them the reports of the finance committee of the House of Commons, which sat in 1817; and by referring to them it would be seen that that committee had considered every branch of our civil government as well as our military expenditure, and had, in contemplation of peace, estimated what ought to be the amount of our establishment. Now, what was the fact? Why, that his majesty's ministers had already carried their reductions 1,200,000*l.* farther than the probable estimate of the committee of 1817. After having stated that, he would ask whether the noble lord was warranted in throwing out such imputations against his majesty's government, and whether, on the contrary, every effort had not been made to reduce the national expenditure to as low a scale as possible? When their lordships looked at the dead expense of the army, the half-pay and pensions, amounting to 5,000,000*l.*; and when they considered the proportion which that bore to the 16,000,000*l.* which was the whole of our civil, military, naval, and miscellaneous expenditure; and when they farther considered, that those 5,000,000*l.* were entirely out of the control of his majesty's government, they would be still more sensible of the amount of the reductions. In the civil departments great reductions had taken place. Several years ago a commission had reduced the expense of the Customs 80,000*l.* a year; and a progressive reduction of 20,000*l.* a year in that department had since been made. But it was impossible, with the slightest justice to the individuals employed in the public service, to accomplish all the reductions which it might be desirable to make at once: They must be gradually effected.—Before he entered into the consideration of the reductions which had been made in the present year in the civil establishment, he would say a few words on the noble lord's general doctrine, as to the jurisdiction of parliament over the civil list. Undoubtedly, he admitted, that there was no question which could be excluded from the jurisdiction of parliament, on a strong case being made out for submitting it to that jurisdiction. But he was supported by the authority of all the greatest statesmen which this country had produced, both those who had opposed and those who had supported the measures of his majesty's government, when he declared that as long as the Crown kept its expenditure within the sum appropriated to the civil list—not that no parliamentary inquiry ought to take place into the subject, but that a very strong ground ought to be laid to warrant such an inquiry. He readily agreed with the noble lord, with respect to that particular branch of the civil list to which the noble lord had mainly addressed his observations, that the arrangements made in 1816 were for the purpose of bringing that particular subject more under the cognizance of parliament. But, before he went into that part of the

subject, he wished to correct one remark made by the noble lord, who said that the committee appointed on the accession of his present majesty, and who recommended the present establishment of the civil list, took the estimate framed by the committee of 1816 as their model; but that, as what was called Mr. Peel's bill had passed since 1816, things were in a very different situation from that in which they were at that period. The fair inference, however, was, that parliament, perfectly aware of that circumstance, did, after due consideration upon it (and he begged leave to remark that the subject had never before undergone such an ordeal at the commencement of a new reign), settle, in 1820, the specific amount of the civil list, under the new circumstances in which the country was placed. But the noble lord was not correct in his assertion with respect to the great difference of circumstances in 1820 and 1816. The depreciation of currency in 1816 was not like the depreciation of currency in 1810. The exchanges in 1816 were in favour of this country, and gold was below the Mint price, and was imported in large quantities. He had a right, therefore, to contend, that in framing the civil list estimate, in 1816, parliament had been influenced not by any consideration connected with the depreciation of the currency, and the consequent increase in the price of the necessaries of life; but by other and distinct considerations; for, he repeated, that he believed the exchanges were more in favour of this country in 1816 than they were at the present moment. Under these peculiar circumstances it was, that it was proposed to make a saving in the civil expenditure. Their lordships were aware that both Houses addressed his majesty last session to institute an inquiry into the details of the different branches of the civil establishment, particularly with reference to those officers the salaries of which had been increased since the year 1797, when cash payments were suspended, in order that in the improved state of the circulation, they might be brought back to their former amount. His majesty's government, of course, felt it their duty to institute a minute inquiry into the state of every department of the civil service. They had adopted a plan of retrenchment which would hereafter, in all probability, come before their lordships in a legislative shape; founded on the principle of endeavouring to combine what was due to the wishes of parliament with what was due in common justice to the individuals immediately concerned. Undoubtedly his majesty's government might have stopped at the strict execution of the intentions of parliament; they might have stopped at the reduction of those salaries which had been augmented in consequence of the effects on the value of money of the suspension of cash payments in 1797. But having accomplished that object, they felt it their duty to proceed still farther, and humbly to recommend to his majesty to issue an order in council for the reduction of all other salaries of civil officers, although those salaries had not been previously increased. With the exception of the first lord of the Admiralty, and the chancellor of the exchequer, there was no great officer of state whose salary and appointments were not the same through the war, and after the restoration of peace. Whatever other classes of property might have lost in the one state of things or gained in the other, their salaries and appointments remained invariably the same. They felt it, however, to be their duty, under the pressing circumstances of the times, not from any consciousness that their salaries and emoluments were too large (for on that subject he would candidly appeal to the noble lords opposite), but because they had been obliged to inflict a wound on others, to recommend his majesty to subject their salaries to a reduction of 10 per cent. He had further to state, that although the circumstances under which the civil list was framed did not impose any such duty on the sovereign, it was his majesty's spontaneous feeling to submit to the same sacrifices, whatever they might cost him, and to whatever inconvenience they might subject him. The amount of the whole immediate saving was within a fraction of 200,000*l.*; and of the prospective saving 173,000*l.*; making an immediate saving of 200,000*l.*, and an ultimate saving of 373,000*l.* It was for their lordships to say whether, under all the circumstances which he had described, his majesty's servants had not done all that could fairly be expected from them?—He would now proceed to that which had been the principal object of the noble lord's remarks; he meant the *third* class of the civil list, relating to ambassadors to foreign states. The noble lord had drawn a comparison on this subject between the year 1792 and the present time. Their

lordships would, however, be astonished to hear, that when the scale of that part of the civil expenditure was settled in 1792, parliament went back as far as the year 1721; and that, in fact, no alteration had been made in the scale of the salaries of ambassadors and envoys from 1721 down to 1804. Now, he submitted to any one who had experience or knowledge in such appointments, whether with such salaries it was not positive ruin to any individual to enter into the diplomatic profession, unless he had a large private fortune, or other means of defraying the charges that must necessarily fall upon him? But, what it was material for their lordships to consider was, that this very subject came under the consideration of the committee in 1816. That committee had all the estimates, and all the details before them; and from their silence, he might fairly infer that they thought this branch of the civil expenditure not unreasonable. But he did not rest upon that. Their lordships had on their table returns illustrative of the subject; and he would call on any noble lord at all acquainted with foreign countries, and with the duties of the representatives of the British government in those countries, whether any individual could accept a foreign mission, unless, over and above his official allowances, he had a private fortune, on which he could draw for aid? Some of the foreign courts might be more, and some less expensive; but such was the fair general statement of the fact. The noble lord made the appointment of an ambassador at the court of the king of the Netherlands the subject of his particular animadversion. Now, if there was one foreign embassy which ought to have been exempt from any remarks of that nature, it was the embassy to that court. If all the rest of our foreign embassies were abolished, that to the United provinces ought to be preserved. In saying this, he but spoke the opinion of the greatest statesmen which this country ever produced. He might advert in support of it to the sentiments expressed by Mr. Pitt and Mr. Fox, on former occasions; and sure he was that there was no man of true English feeling and political judgement, who would not go along with him in asserting, that we ought to maintain, not an occasional or a fluctuating, but a real, permanent connexion with the government of the Netherlands. With respect to this appointment, it must be observed that there was an additional expense peculiar to it, which arose from the circumstance that the court of the Netherlands was at one time held at Brussels, at another time at the Hague; and it was necessary that our ambassador should keep up two establishments, to meet the court at either place. On the point of sending out an ambassador to the courts of Petersburgh and Vienna, he differed altogether from the noble lord. Surely no one could suppose, that at the courts either of St. Petersburgh or Vienna we ought not to have an ambassador. He could not conceive it consistent with the high character of this country and its most important interests, to send an inferior minister to those courts. It was not a becoming, but a niggardly economy, which would induce us not to maintain at those courts the most dignified representatives of the sovereign. It ought to be recollected too, that a noble earl opposite had, when secretary for foreign affairs, sent out a noble friend of his as ambassador to St. Petersburgh, and that at a time when there did not appear the very greatest necessity for our interference. But the thing would speak for itself: let their lordships look at the power and station which that court maintained in Europe, and then consider, whether it was consistent with that station and with our dignity, not to send an ambassador there. While the courts of Petersburgh and Vienna were desirous of sending ambassadors to us, it could not be to our credit or interest not to send ambassadors to them; and he trusted the opinion of the noble lord would not weigh against the important advantages which resulted from this line of policy.—This subject naturally divided itself into two branches; and in that way he was content to argue it. The first branch was the expense; and that involved the question, whether there was, in the nature of our present diplomatic establishments, any thing which denoted wanton extravagance or unreasonable profusion. And then came the question, whether or not these situations were remunerated beyond the measure of their utility, or exceeding the fair burthen of the expenditure imposed upon the individual. He would confidently appeal to any noble lord who had had experience of the charges of foreign residence, whether any of these situations were overpaid. And while touching upon the point of expenditure, he could not

help being struck with what had fallen from the noble lord, upon the degree of expenditure which he thought ought alone to attach to the envoy for Switzerland, whose expenditure he would reduce to the very lowest and most paltry scale. Now he thought the noble lord's instance particularly infelicitous. Could the noble lord forget the deep interest taken in the affairs of Switzerland in the years 1813 and 1814? Could he forget how the feelings of this country had been fixed upon securing the independence of the Swiss cantons, and how their inhabitants felt they were indebted for the arrangement which then took place to the interest which this country had taken in their behalf? Let any of their lordships look at the geographical position of Switzerland on the map of Europe, and see its importance in every point of view? Switzerland, standing between Germany and Italy, might be justly called one of the keys of Europe, and the next in point of importance to the United provinces. Could any man look at the struggles which were made to establish French domination in that country, in the time of Aloys Reding, and doubt the propriety of England having a resident minister on the spot to give her some influence in the scale? Allusion had been made to the diplomatic resident at Dresden. That appointment he was more particularly called on to defend; for it was he who had recommended the minister to it, when he filled the office of secretary of state for foreign affairs; and those who would refer to the then existing situation of the affairs of Dresden, must, he thought, be convinced that a sense of duty alone actuated him in suggesting that appointment. The noble lord had said, that diplomatic missions, instead of being, as they ought to be, only attainable through long training in the public service, had become the objects of parliamentary patronage for the sake of their emolument, and without reference to that previous service which could alone make them efficient for the public. Now what was the fact? Out of 18 ministers recorded in the list on their table, 14 had been regularly brought up through all the ascending gradations, from secretaries of legation; and the remaining four could be shown to have derived their appointments from circumstances so peculiar, as to justify their necessity at the time, and show that they were such as necessarily grew out of the previous offices filled by the individuals. So much, therefore, for the noble lord's argument upon the rearing of diplomatists, and the particular influence to which he generally attributed their appointment. It might be as well to observe now, that these ambassadors, being part of the civil servants of the court, were comprehended among those who had to pay the 10 per centage upon their incomes, to the general service of the country.—The noble lord had referred to the former state of these establishments; but he had omitted to touch upon the report of the committee in 1816, which had gone fully into their character, had inquired into the whole of their expenditure, and had stamped their essential value. Upon a reference to that report, it would be seen, that there was not a single minister on the list whose income was proved to exceed, or to do any thing more than cover, the bare expenditure which their situations necessarily imposed upon them. The committee of 1816 had put these establishments upon a better footing for the public, by separating the incidental expenses from the regular accounts of the ministers. This alteration went to remedy serious abuses, and the benefit of it had since been sensibly felt. Indeed, he could positively declare, that not one of these appointments had annexed to it a sum exceeding that actually necessary to pay the regular expenditure of the individual. For these reasons, he must oppose the noble lord's motion. If the country were reduced to the alternative of getting rid either of a part of the number of its ambassadors, or of a portion of their expenditure, he thought it would be much better at once to reduce the number of the diplomatic missions, than to adopt the beggarly, impolitic, and discreditable plan, of making those situations unfit to be maintained upon that scale of respectability which was so essential for making them efficient. Thinking the noble lord had made out no case, either that the number of diplomatists, or the scale of their remuneration, was too great, he should oppose the motion.

Lord *Holland* said, the noble earl had fairly admitted, that the case which they had to argue was reduced within a narrow compass, and that the plain question which they had to decide was, whether or not the present scale of diplomatic expenditure was necessary, situated as the country now was? He thought it could

have hardly escaped the penetration of the noble earl opposite, that, notwithstanding his professions of economy, he was liable to the imputation of being somewhat tardy in the support he had given to the reductions which had taken place. Had not the noble earl over and over again declared, before these reductions were decided upon, that the establishments of the country were reduced to the lowest possible scale upon which they could be conducted with security or advantage? How often had he not, in lofty language, asserted the actual necessity of maintaining at their fullest extent establishments which he had since consented to reduce, and declared, that so impossible was it to conduct the government, except in the then existing state of those establishments, that if it were determined to touch them, it would only remain for him to resign his situation? Such were the repeated declarations of the noble earl: but, strange to say, when reductions could no longer be resisted, then said the noble earl—"these reductions I submit to parliament, and I claim your additional confidence for them." So much for the credit which the noble earl was disposed to assume for himself with respect to these reductions! He now came forward to admit, that, through good faith required that certain parts of the civil list should remain untouched by parliament, so long as they were kept within their stipulated amount, yet that under any circumstances the third class must always be considered as fairly before parliament for revision. He (lord H.) confessed that he was one of those who always thought that there were many other parts of the civil list, besides the third class, in which important reductions ought to be made. He thought that if another branch of the civil list could be re-opened without any imputation of a breach of good faith, equally important reductions could be made from departments which were miscalled appendages to the splendor and dignity of the Crown, but which, if they were now before parliament for revision, he would snatch from their present appropriation without the slightest remorse. The third class was, however, confessedly open for revision at any time; and then came the question, what had been the original character of that branch of the public expenditure? The noble earl adverted to the different reports which had been made upon the civil list by committees of both Houses. Now, upon the subject of the third class, all who thought with the noble earl, that it was impossible it could be reduced without injury to the country, must necessarily vote against the present motion; but, if after full reference to the parliamentary papers, and to the actual scale of expense which these establishments cost, there were any who thought that the expenditure exceeded the necessity urged in its justification, they were particularly bound to vote for his noble friend's motion. The noble earl had laid great stress upon the report of the committee of 1816: he had also called their attention particularly to the report of 1791, which he had repeatedly assured them was founded on the scale of 1721. But here he must doubt the noble earl's historical accuracy; for, if he did not mistake, a committee had sat upon the subject in the year 1786, and another in 1790; and the object of those committees was, if possible, to reduce, and not to augment, the previous scale of diplomatic expenditure. Mr. Pitt was the promoter of these committees; for, before it was the fate of this country to have been plunged by him into a wicked, lavish, and unnecessary war, he, too, had been engaged in establishing economy and retrenchment in all the departments of the state. Mr. Pitt at that time did not go so far as to maintain what the noble earl now did, that length of years necessarily implied an augmentation of the scale of expenditure; but, in the committee of 1786, he had endeavoured to diminish the existing scale of expenditure below the former rate at which it was affixed. Mr. Pitt at that time brought the third class under the consideration of the committee. He did so again in 1804, in 1816, the same object was kept in view, though not in the same degree. His noble friend had asked the noble earl if any saving had taken place in the third class of these estimates; and the noble earl had replied that he could not say what saving had taken place in that particular branch; but that, if any, it must have been duly carried to the consolidated fund. Now, he hoped the noble earl would not impute to him a want of candor if, from that answer, he inferred that no saving had taken place. Their lordships, then, had only to form their opinion upon the comparative saving as it stood in the documents before them. Let them, for instance, compare the estimates of 1786 with those of 1804. Upon

glancing at these papers, he must contend, that the gross amount considerably exceeded that which ought to be incurred for this branch of the public expenditure. Mr. Pitt in 1786, then a time of peace, estimated the whole diplomatic expenditure, including consuls and missions of all classes, at 70,852*l.* In 1804, after Mr. Pitt had involved the country in all the consequences of the revolutionary war, he had estimated for the peace expenditure of diplomacy, a sum of 112,000*l.* They then came to the noble earl's point—the year 1816; and what was that estimate? Why, after discharging from it all pensions, it amounted to a direct and actual expenditure of 174,000*l.*, for a service which Mr. Pitt, in 1786, deemed adequately paid with 70,852*l.*, and in 1804 had estimated at 112,000*l.* "Oh, but," say the ministers "if expences increase, salaries must augment in proportion; and where you sent a minister of the first class, it would be unbecoming for us to send one of inferior quality." This was the way in which a succession of appointments was carried on, and the list of pensions swelled out by the services in which the individuals had been engaged. The administration of Mr. Pitt, in 1786, had prophesied (for ministers had a knack of prophesying) that the pensions given in war would be so far available in time of peace as to go in reduction of salary, when the possessors became again reappointed to diplomatic functions. Well had it been for Mr. Pitt's fair fame, and for his country's best interests, had he devoted himself to the pursuit of these plans of retrenchment and economy, instead of embarking in a ruinous war. But Mr. Pitt, in 1786, estimated his diplomatic pensions at a sum not exceeding 8,970*l.* a-year: they were now increased to 52,000*l.* a-year. In 1804, the increase was to 27,412*l.* So that the augmentation of salary from 1786 to 1816, was nearly 150 per cent and the rate of pensions nearly 350 per cent. Was that such an amount of expenditure as the country had a right to look to in its present circumstances? Something had been said on the rate of exchange as affecting foreign ambassadors; and it had been truly observed, that however the price of provisions might stand, the rate of exchange ought not to impose a loss upon the income of the ambassador. He fully concurred in that opinion; and that the foreign representative of the government ought not to suffer from the operations of that fraudulent currency which, to the disgrace of ministers, every man had been for so long a period exposed to. The last regulation had most properly and justly protected an ambassador from the losses attendant upon the rates of exchange; but the nominal amount of his emoluments, so increased as to cover that fluctuation, was still left as the permanent scale which was to govern the reduced allowances in situations not exposed to the deductions which had led to the last advance of the full salary. Mr. Hamilton, in a letter to lord Castlereagh in 1815, had very properly observed, that an ambassador should know the full amount of his salary, and that the loss by exchange in transacting the remittances ought to fall on the country.—The noble earl had asked, "Is it fair, after you have had an ambassador in one place and in another, now to send an envoy to the same court, and particularly so when that court sends to you an expensive diplomatic establishment? The noble earl touched upon the recent history of the Swiss cantons; and, beating about the bush for an argument, at length he fixed upon their geographical position on the map of Europe. "Look at Switzerland," said the noble earl, "standing between Germany and Italy, one of the keys of Europe, a post where the principal powers of the continent have always struggled to maintain an influence; and was England alone to refrain from putting in a claim for a fair understanding with the people?" His reply was, certainly not; the only consideration with him was, if 250*l.* had for years been sufficient for a British resident in Switzerland, why now, for the same purpose, was 4,900*l.* or 5,300*l.* deemed indispensable. The noble earl had informed them, that all the persons employed in foreign diplomacy had followed the regular order of succession from the smallest to the highest missions; and he had enlarged upon the benefits arising out of such a practice. But there was an end, it now seemed, of that practical series of instruction; for where were the minor offices? The changes which they were called upon to watch, had erased out of the vocabulary of the secretary of state the very names of these lower offices of diplomacy, which were rewarded at the rate of 250*l.* a year. Where, now, was a secretary of legation heard of? It was true, indeed, that they had converted electors into kings, and petty princes into

potentates—they had nothing to do with such paltry beings as low margravates or grovelling republics, they were engaged in pursuing higher things, and therefore it was, they had abandoned the old custom of having inferior officers, which was found to succeed so well in the time of Sir R. Walpole. Until 1793, the expense of the Swiss mission was 250*l.* a year. He was ready to give the noble earl the benefit of any change in the geographical situation of that country which might have occurred since that period. But, whatever might be the force of the geographical position, the historical argument would carry the noble earl but a small way in sustaining the necessity of the present large expenditure. For when did Switzerland stand in a more elevated situation, or one more imposing in the eyes of England, than in the early part of the last century, when the larger states in the world were conflicting between protestant and catholic interests; and not, as now, running a race of legitimacy, some of them struggling which shall be the more servile adulators of powers against the friends of freedom and independence. At the period to which he alluded, Switzerland was looked upon with peculiar interest by England. Thither she sent her children for a Protestant education, and to Savoy, that neighbouring state whose interests had been so sacrificed by the present administration. When all these important events were passing in Europe, the British envoy in Switzerland maintained his country's influence upon a salary of 250*l.* a-year. In 1793, when Switzerland withstood, as a neutral country, the political shocks which convulsed her great neighbours, Mr. Pitt, thinking justly, that Switzerland was a position which required great attention, appointed an envoy with a salary of 1,000*l.* a-year. At that sum it remained until the peace; and then, when the necessity for extreme attention on the part of the mission began to decline, the salary was augmented to something like its present amount. Passing on to Germany (the geography of which remained, he supposed, much the same as before), he was astonished at the monstrous increase which there presented itself. According to Mr. Pitt's estimate, there were six missions appropriated for the Germanic empire; there were now seven, although the smaller states, for which the majority of the former six were wanted, had been lately swallowed up by the larger, and had, therefore, unfortunately for their own liberties, and the character of Europe, ceased to uphold courts interchanging missions. He had no objection to the preservation of that connexion with foreign states, through the medium of diplomatists, whatever might be the changes through which these states had passed, and that the rank of the ambassador should ascend a step with the title of the potentate; but he saw no reason why this country should be called upon to pay an enormous accession of salary for missions, because some little petty prince or margrave became an elector or a king, and grasped at the adjoining territory of his feebler neighbour. These personages might call themselves kings, or emperors, or great moguls, for any thing he cared, provided the people of England were not to be additionally taxed as the consequence of such mutations. It was of this that he felt himself entitled to complain—it was of an expenditure which in one head of its items was increased from 16,555*l.* to 44,306*l.* The noble earl was never at a loss for reasons when it served his purpose to give them; and that circumstance rendered his silence regarding the augmentation of the allowances to our missions in Germany the more extraordinary; especially as he had given abundant reasons for the augmentation of the allowance to the mission in Switzerland. With regard to the mission to the court of the king of the Netherlands, he could not altogether coincide with the opinion of his noble friend who had introduced this subject to the House. The situation in which we had contributed to place the Netherlands appeared to him to be contrary to the principles and policy on which our ancestors had always acted, and was decidedly contrary to the opinions of the great men of other days who had lived in both countries—he meant of De Witt, of sir W. Temple, of William III., and of prince Eugene. But since we were bound by treaty to preserve the Netherlands in the same situation that they now were, there was some reason for our having an embassy in that country.—He would not go into the different items of its expenditure. He did not like examining too narrowly into the manner in which this public servant gained his 100*l.*, and that public servant his 1,000*l.* a year, either at home or abroad. Still, the strongest feelings of indignation were excited in his breast, when he recollected that ministers, by their lavish expenditure and fraudulent

manner of sustaining it, had made it absolutely necessary that every halfpenny that was dealt out to public servants should be closely looked after. Though he saw reasons for having an ambassador at the court of the Netherlands, he did not think that the reasons which had been urged for the augmentation of the appointments of sir C. Stuart, (a man of whom it was impossible to speak too highly), applied to the appointments of any other ambassadors besides those at the court of France. What his noble friend had slightly touched upon—the great resort of English travellers to particular countries—was not a reason for sending an ambassador or a minister plenipotentiary to any one of them, but it was a reason, if the nature of our connexions rendered it necessary to send a minister there, that his appointments should be such as would enable him to do credit to the country which he was sent to represent. For his own part, he would rather augment than diminish the appointments of the English ambassador at the court of France; but at the same time he must say, that the reasons which would lead him to increase the appointments of our embassy there, did not apply to our embassies elsewhere, much less to the different agents employed in them; for it deserved to be recollected, that no augmentation of salary could be made to an ambassador without a proportionate increase being made to the salary of the secretary of legation and the other persons employed under him.—He would now take the opportunity of saying a few words with regard to the pensions. The noble earl had said, that 14 out of the 18 persons who enjoyed pensions had risen from the lowest gradations of the department to which they belonged. It might be so; but still he did not know whether it was an improvement upon the ancient practice, from which it was certainly very different. In no court had we at present any minister less than an envoy or minister plenipotentiary; and it was stated, in defence of the practice, that all of them had gone through the different gradations of diplomatic office. Now, in former times, such individuals as were selected for ambassadors seldom underwent such a schooling: on the contrary, they were selected for their high rank and great fortune, and the persons who were employed under them, though they had the right of rising, rose but very slowly to the rank of envoys extraordinary. He spoke on this subject with confidence; and he would say, that if the papers on their table could by any possibility be submitted to the inspection of those who filled our different embassies fifty or sixty years ago, surprised as they would be by the number of missions now in existence, they would be still more surprised at the number of pensions, and the short time during which those who held them had been employed. They had increased with amazing rapidity since the conclusion of peace; and yet, if there was any time during which they ought to have decreased, it certainly was that when new courts were opened for the employment of diplomatists. They had, however, doubled in the period from 1804 to 1806; and at present 52,000*l.* for pensions, and 177,000*l.* for salaries, was the actual expense of our diplomacy, exclusive of the expense which was incurred in another shape, subject to what was called the wisdom and vigilance of parliament, and totally distinct from the estimates then before their lordships. The noble earl had told him upon a former occasion, that the expenses of our ambassadors were less than those of any other country. He had then taken the liberty of calling the noble earl's attention to the expenditure of the different missions employed by the United States of America. The noble earl expressed his willingness to meet him upon that ground, and combated the positions which he (lord H.) laid down. Now, he did not mean to say, that we were bound to assimilate our practice to that of the United States; but still he must maintain, that it never could be derogatory from our character as a nation to have some regard to economy. He knew that our relations with foreign state were different from those of America, an that they were not to be judged exactly on the same principle. He had looked at the diplomatic expenditure of both countries for the year 1815, and had not forgotten to take into calculation that America, during that year, had incurred some extraordinary expenses, in consequence of being at peace with all the world, and of having recently negotiated a treaty of peace with us. He had said, in the course of his argument, that he thought that the expense of the relations of America with the whole world would be equal to ours with the different courts of Germany. On looking at the requisite papers, he found that the mission of lord Castlereagh to Vienna, which cost 42,000*l.* exceeded by

2,000*l.* all the allowances to the different missions of America. Now, he would ask the noble earl, whether he would say, that he had ever met an American minister except upon equal terms as to talent, intelligence, and zeal for the interests of his country. He did not mean to urge the fact which he had just stated to their lordships as a reason for our approximating our expenditure to that of the United States: he merely mentioned it to show that gross extravagance must have existed in our own system of diplomacy. Indeed, the expenditure of that department in 1816 had exceeded the expenditure of 1804 by 150 per cent as far as regarded ourselves; and as far as regarded that of other nations in a five-fold degree. It was easy to see how that system had grown up amongst us. The noble secretary had come from the continent daubed over with all the adulation and mouth-honour of the base and servile courts at which he had been visiting. The country was led to believe, from the flourishing statements that he made to it, that it would be able to exert for ever a commanding influence over the continent. It was not then allowed to hear any thing of the evils of a transition from war to peace—it was not then apprised of the evils of plenty—it was not then amused with ingenious and imaginary reasons for calamities which nothing but the odious and profligate measures of ministers had entailed upon it. The noble lord came over exulting and triumphing, and made the country believe itself lord of the world; and it was at the very moment that it was labouring under that delusion, that the noble lord submitted to it the estimates for our missions, drawn up on what M. Colonne had called "*une économie large.*" What, he would ask, had been the result of that lavish system? Would any of the noble lords opposite say, that it had enabled us to continue that influence over the continent which we had enjoyed at the conclusion of the war? If there was any man, either in that House or out of it, who would hazard such an assertion, let him take to himself the shame of the subjugation of Italy:—let him take to himself the shame of annihilating the rising liberties of Naples;—let him take to himself the shame of crushing freedom, as far as freedom could be crushed, in every country of Europe:—let him take to himself shame for the deviation from all those principles which the allied sovereigns had proclaimed in their hour of distress, and which they declared it their object to establish in the congress at Vienna. Let him consider, if we had the influence which he maintained that we had, that it was England that had laid Italy prostrate at the foot of Austria; that it was England that had consigned to exile or the dungeon every Italian that was distinguished for his talent, integrity, and love of independence; that it was England that had insulted its most ancient and faithful ally, by forcing it to deliver the keys of its fortresses to the house of Austria, its most ancient and inveterate enemy. If we still retained our former influence over the continent, how had we exercised it, whilst those atrocious outrages were committing on the rights of man and the liberties of nations? Why, the noble secretary had published a circular, in which he had expressed his disapprobation of what Austria was doing. Now, that circular was either a false pretence, to throw dust into the eyes of the people and parliament of England, or it was a decisive proof that our boasted influence was completely gone. Another proof that it was so, might be deduced from an answer which the noble earl opposite had given him upon two distinct occasions. The noble earl had told him, when he asked a question about the payment of that loan which Austria had obtained from our merchants by a species of swindling, that every engine was at work to enforce the payment of it. He had seen rumours in the public journals for three or four days past, of the intention of the Austrian cabinet to raise a new loan in order to discharge its debt to this country; but he was sure that we should never get in payment of that debt, a quarter of the money which we had expended in missions to Vienna since the peace. Indeed, if we should ever get as interest for that loan the expence of one year's mission to the German courts, he should feel perfectly satisfied, and would never open his mouth again upon the subject. Though he did not intend to enter into any discussion on the subject of our other missions, he could not conclude the observations which he had taken the liberty of offering to their lordships without expressing a hope, that the odious and execrable government of Turkey would ere long fall to the ground. He cared not whether the blow came from Russia or from Greece; he trusted, however, that come from what quarter it might, the government of this country, situated as it now was, would

abstain from interfering in the struggle. We were too remote to interfere in the contest, but not too remote to feel interested in its result. Though, as a statesman, he was compelled to advise our neutrality in the combat, he must, as a man and a philosopher, wish the result of it to be, the complete destruction of the infamous and tyrannical government of Turkey. [Hear, hear.]

Lord *Ellenborough* complained, that the papers on the table were not sufficiently satisfactory, as they did not contain an account of the contingent expenses. In reply to what had fallen from the noble lord, he would state that the expenses incurred by our foreign missions in 1815 and 1816 ought not to be taken as a criterion to judge of the expenses of common years. He likewise contended, that of all the different species of expenditure incurred by government, that incurred in the diplomatic service was the most necessary; for it was information—it was dispatch of business—it was the best means of facilitating those results which government most wished to produce, in short, expenditure in diplomacy was secret service money and if an ambassador was improperly limited in the employment of it, it was quite impossible for him to be of any utility to his country.

The motion was then negatived.

HOUSE OF COMMONS.

Wednesday, March 27.

ROASTED WHEAT.] Sir *R. Wilson*, seeing the secretary of the Treasury in his place, wished to call his attention to a circumstance of considerable importance. He had received a letter from a person who was now detained in prison for nonpayment of a fine which had been imposed upon him for selling Roasted Wheat, not with an intent to defraud the revenue, but *bonâ fide* as a breakfast beverage. The circumstances of this individual's case were those of considerable hardship. He had been sentenced to an imprisonment of nine months for a political offence. During the time he was in confinement, he was informed that he was to be proceeded against for selling roasted wheat, but was told that if he would plead guilty to the offence, he would not be required to pay the penalty. He accordingly did plead guilty; but, to his astonishment, when the period of his imprisonment had expired, he was prevented from leaving the prison by a detainer on the part of the Crown for 60*l.*, the amount of the fine which had been imposed for selling the roasted grain. He wished to know whether it was the intention of government to propose a repeal or modification of the act of the 41st of George the 3rd, under which the convictions for selling roasted wheat had been imposed, and whether it was intended to remit the fines which had been imposed upon such convictions?

Mr. *Lushington* said, that the consideration of the general question with respect to the selling of roasted wheat had been referred to the board of excise, who had not yet come to any decision upon the subject.

Mr. *Abercromby* was of opinion that the act required amendment. As it at present stood, it went the monstrous length of declaring that if any person should discover a substitute for coffee, no matter how wholesome or economical, he should not be allowed to sell it.

CONSTITUTIONAL ASSOCIATION—PETITION OF JOHN BARKLEY.] Dr. *Lushington* begged to call the attention of the House to a petition which he held in his hand. The name of the petitioner was John Barkley, and he was 17 years of age. He was one of those individuals who had fallen victims to the proceedings of that society which had usurped the name of "constitutional." That society had not only brought the petitioner to trial, but had harassed him in the first instance, and had made him undergo a preliminary imprisonment. On the 4th of March last, the petitioner's trial came on before the Common Serjeant and a London jury. Before the trial commenced, his counsel objected to the jury on this ground, that they were not competent to give a fair verdict, because only two days before they had tried and convicted William Vamplew for publishing the identical libel for selling which the petitioner was indicted. The common serjeant was of opinion that the objection was not well-founded. He (Dr. L.) would, however contend that to compel a person to be tried by a jury which had already prejudged his case, was a violation of the first principles of justice. It was laid down by lord Coke, that no person was qualified to sit upon a jury, if he had already been party to a verdict in a cause where the same question had been tried, although between other plaintiffs and de-

fendants. Now, had not the same question, in fact, been decided between other parties in the present case? All that Barkley's jury could try was, whether he had or had not published the libel; for that the work in question was a libel they had already declared by a previous verdict. What, he would ask, did the practice lead to, or rather what did it not lead to? Surely every man must bear in mind the libel bill passed after so much exertion by Mr. Fox—that bill by which juries recovered the rights and privileges which judges had usurped from them—the privilege of deciding for themselves not only as to the fact of publication, but also as to the question of libel or no libel. He (Dr. L.) declared that he knew of no greater blessing conferred upon England than Mr. Fox's libel bill; and yet that bill had been set at nought in this instance; for the jury who tried Barkley had decided before they went into the box as to the question of libel, and had only left to try the fact of publication. This, however, was not the only evil arising from the practice of which he complained. He was now about to speak to facts proved by the petition which he held in his hand—proved by the words of the foreman of Barkley's jury, (who complained heavily of the situation in which he had been placed)—and proved by the testimony of eye-witnesses, whose veracity was unimpeachable. The counsel for the prosecution, in his opening to the jury, said, "I recur to the speech which I made here three days since; that speech contained arguments which I am sure must satisfy you that the book in question is a libel, and there is no occasion, therefore, that I should farther occupy your time upon that head." And how was the counsel for the prisoner, who had not been present at the former speech, to reply to arguments which he had not heard? This was one part of the objection to this course of proceeding; but there were still greater evils attending upon it. The judge himself—and here he did say that he was bound to complain of the conduct of the judge; he complained that the conduct of the judge had not been upright, just, or impartial. The judge had distinctly told the jury, that he could not understand how they could form a different opinion upon Barkley's case consistently with their former verdict. So, the judge actually reminded the jury of their former verdict, instead of endeavouring to get rid, if possible, of any lurking prejudice which might be hanging about their minds. He must complain heavily of this conduct; and he appealed to his hon. and learned friends opposite, whether they ought not in candour to come forward and admit the irregularity of the trial. They ought not, because the individual offending was a poor unfriended being, to sanction a violation of that most sacred right, the trial by jury. He would ask either of those hon. and learned gentlemen to put a case to themselves. Supposing they had to conduct a prosecution for libel against two or more individuals, if a jury acquitted the first by negativing the fact of libel, would they go on with the same jury to the trial of the others? Could they do it with common regard to their professional characters? In the present case, a boy, not more than 17 years of age had fallen under the fangs of the Constitutional Society. He was unable, although he had applied to the clerk of the arraigns, to procure a list of the jury. That objection was taken at the trial, and overruled. The next course taken by the prisoner was a course generally admitted upon trials for misdemeanour. He believed that it was not usual in such cases to insist upon all the strict formalities of challenge; the mere statement that there was ground of objection to any of the jury, on the score of undue prejudice, was always held sufficient. Challenge upon that score was made in Barkley's case; but although it was accustomed to succeed in other cases, it failed in his. And, let the House look at the situation in which the jury as well as the prisoner were placed, by the improper course persisted in. In Barkley's case, they took thirty-five minutes to deliberate before they found their verdict of guilty; in the former cases they had returned the same verdict without any deliberation at all. The very circumstance of this hesitation proved that they were in doubt; probably but for the sake of consistency, their verdict might have been the other way. As it was, the verdict was accompanied with a recommendation to mercy, and a sentence of six month's imprisonment only was passed upon the defendant. The hon. and learned member then proceeded to advert to the sentences passed upon the two other individuals tried for the same offence as Barkley. He understood that, to the already heavy sentence

of imprisonment for two years—then to find sureties for good behaviour during life—the farther infliction of hard labour, had, on their entering the Poultry Compter, been added. Courts of justice certainly had the power of ordering that aggravation of punishment; but was it to be endured, that for the mere publication of opinions—of opinions upon subjects as to which almost all men differed—as to which, were it possible to dive into the hearts of gentlemen present, scarcely three of those gentlemen would be found upon all points to agree—was it fair, that for publishing his opinions upon such subjects, a man should be compelled, in addition to imprisonment, to labour for two years at an unwholesome employment? He had heard that there was, in truth, no occasion for the particular order for hard labour, inasmuch as that, when a man went to the Compter, hard labour followed of course. In the instance, however, to which he adverted, the order was distinctly given; for it was actually added, and by interlineation, to the sentence. The learned doctor went on to comment upon the mischievousness of prosecutions like those to which he had been alluding. When the House saw a man like Mr. Hone raised (merely by prosecution) from an obscure individual to a man known in every corner of England, Scotland, and Wales, could they do otherwise than lament to see any body of men so absurd and so wicked, as to erect themselves into a society for the assumption of powers which demanded the nicest discretion in their exercise, and which the policy of the law had vested in the Crown. With the fate of the petitioner was embarked the fate of one of the most sacred privileges of an Englishman.

The *Solicitor General* said, with respect to the publication for which the petitioner was tried, that a more blasphemous and seditious libel never issued from the press of this country. Every person who had read the public prints of the day, was aware of the mischievous character of that infamous publication. It was openly declared by Mr. Carlile, the employer of the prisoner, that he would set the law at defiance—that nothing should prevent him from pursuing the career which he had commenced—that though he might be imprisoned, his family one after another, were willing to become martyrs in the cause for which he suffered; and that after they should be convicted, he would hire, at a low rate, persons who would bid defiance to the law, and those he would make the instruments of his purpose. It was well known that, for the purpose of defeating the law, the publications were sold through an aperture in a partition, no person being visible in the shop. It was well known that over the shop in question was publicly inscribed—"This is the mart for sedition and blasphemy." This being known, it was the bounden duty of any individual who happened to have evidence against the persons engaged in this attempt to defeat the law, to proceed to bring them to justice. With respect to the society itself which had proceeded in this case he had nothing to do, he had nothing to say; but, whether society or whether individuals, it was the duty of those who possessed evidence to bring the guilty to justice. As to the conduct of the learned judge, it was true, that the defendant took an objection to the trial proceeding before the same jury that had tried another defendant for the same libel. Now he would put it to his learned friend, whether the judge had the power, without the consent of the counsel for the prosecution, to stop the proceeding merely on account of that jury having to try the cause. The judge told the defendant that he might put in a challenge either against any individual or to the array, but the defendant did not put in any such challenge, knowing, as any one acquainted with the law must have known, that there was no legal objection to the jury. The learned counsel was not taken by surprise; he had several days to determine the course to be taken; and he found that there was no legal objection to the jury. It was only necessary to refer to any passage of the libel, to shew that no jury could have come to a different decision. In one passage the writer said, "All religion I proclaim to be a vice in society, to be compared to the mythology of former times, which can consist only with an ignorance of the laws of nature, and is supported merely by the power of priestcraft." Was it possible for any twelve men to doubt that this was a libel? The only question, then, that remained for a jury was, whether the party accused had taken part in the publication; and as to that question, the jury could not be at all prejudiced by their previous decision. Another objection had been taken to the conduct of

the judge; namely, that in a sentence for the offence of blasphemy, he had made hard labour a part of the sentence. That was not the case in the sentence of the petitioner. If the person intrusted to carry that sentence into effect had deviated from the terms of it, the prisoner would obtain redress in any court of law in England. But he apprehended that this would be found to be a mistake. When a prisoner was committed to a house of correction, the gaoler was authorized by the statutes regulating such places, in case the prisoner should demand the prison allowance, to set him, not to hard labour, but to such moderate labour as might earn that allowance, so that he might not be a charge to the country. No doubt, in another case, hard labour had been made part of the sentence, and the prisoner had been required to give his own security for his good behaviour during life. Now his learned friend would find that this had formed part of almost every sentence for blasphemy. Chief Justice Hale, who would not be considered a cruel judge, had in such a case not only sentenced the defendant to fine, imprisonment, and hard labour, but not merely to give his own security, but to find the security of others for his good behaviour for life. In the case of the King v. Williams, for a libel, which formed part of the libel in question, lord Mansfield inflicted a similar sentence, and indeed there was hardly a case of blasphemy, of the sentence of which hard labour had not formed a part. Thus much he had thought himself bound to give in way of explanation of the conduct of the learned judge, and he had endeavoured to abstain from intemperance or from the declamation in which his learned friend had indulged.

Dr. *Lushington* said, it was no answer to his argument to say, that the publication was of a very dangerous character. He had contended, that, in proportion as the matter of accusation was atrocious, there was the more reason that the individual accused should have a fair trial. He did not stand up to justify the publication—he had always opposed himself to the doctrines which it contained; but he felt himself bound to look to the mode and manner in which the trial was conducted, and having considered it, he stated what he felt; namely, that the defendant had not received a fair trial.

Ordered to be printed.

GAOL DELIVERY—PETITION FROM THE GRAND JURY OF ESSEX.] Sir *Eliab Harvey* rose, to present a petition from the grand jury of Essex, the object of which was so clear and distinct, that it required very few observations in its support. The petitioners called on the House to devise some means by which general gaol deliveries should be rendered more frequent in the county of Essex. At present, it happened that individuals remained in gaol from six to nine months before they were discharged. He held in his hand the calendar of the last Lent assizes, from which it appeared that, from the termination of the summer assizes, early in August, until the 13th of November, 22 prisoners were committed, whose trials could not take place until the following Lent assizes. Six of that number were acquitted, and two were discharged by public proclamation, no prosecutor appearing. It was a great hardship on the individuals who were thus imprisoned for many months; and it was also a heavy expense to the county. The length of time also which elapsed between the commitment and the trial, deterred many persons from prosecuting. He moved, that the petition be brought up.

Mr. *Western*, in seconding the motion of his hon. colleague, begged permission to go a little farther into the consideration of the subject. When on former occasions, it was under the consideration of the House, the noble lord opposite had declared, that it was the intention of his majesty's ministers to apply a remedy to the evil of which the petitioners complained. Neither he nor the petitioners doubted that his majesty's ministers would consider the subject, and devise a remedy: but it was most desirable, as the petitioners stated, that the legislature should immediately proceed to pay attention to this important subject. He did not wish unnecessarily to touch on a subject which fell within the province of the learned gentlemen opposite, and of other individuals of high rank and eminence in the law; neither did he want to interfere with the important duties of the learned judges; but the attention of the petitioners, some of whom were magistrates of the county, had been directed to this subject, in consequence of the hardship and inconvenience which the existing system produced. They found, on examining the gaol-calendar, that generally one-half of the persons brought to trial at the Lent assizes were

committed in the month of January. It was thus evident, that the county was at the expense of keeping in the gaol from January until the Lent assizes a greater number of prisoners by one-half, than would be the case if a gaol delivery took place in January. Taking the average for a given number of years, it would be seen, that the number of prisoners increased one half, in consequence of the long interval between the summer and the Lent assizes. If gaol-deliveries were more frequent, the county would not have to support more than one-half the prisoners, for whom they were now obliged to provide for a very considerable period. Taking a period of four years, the average number of prisoners tried at the Lent assizes at Chelmsford was 102; of whom 50 were imprisoned in the month of January. If, therefore, a gaol-delivery took place in that month, the county would be freed from the expense of supporting 50 prisoners. In every point of view, both with reference to humanity and economy, the subject was of great importance. Of all other prisoners, those committed for felony were the most expensive and difficult to provide for. In the first place, ample security must be provided to prevent their escape; and it was also necessary to separate and classify them, in order to prevent contamination. The necessity of more frequent gaol-deliveries was fully exemplified by what was now passing at Maidstone; where the number of prisoners had increased to such an extent, that Mr. Baron Graham was obliged to put off very many *Nisi Prius* cases of great importance, for the purpose of assisting Mr. Baron Wood in trying criminal offences. This, however, was not sufficient; and Mr. Serjeant Lawes and Mr. Serjeant Taddy were trying cases in an Anabaptist chapel. There was, he conceived, considerable injustice in keeping persons in prison, as the assizes were now regulated. Individuals who had committed trifling offences, and others who ultimately were acquitted, were imprisoned for several months, and that too in winter, before they were tried at the Lent assizes. The consequence was, that the effect which punishment ought to have, was considerably weakened; for imprisonment ceased to be viewed with feelings of pain. From the year 1816 it appeared, that, of the persons committed in the county of Essex, no less than 400 were imprisoned before the 1st of October. Those individuals must, therefore, have remained very little less than six months in gaol, before they were tried at the Lent assizes; and at the present Lent assizes, many of the persons convicted of felony were sentenced to a shorter period of imprisonment than they had previously undergone. The commitments in Essex, for the last ten years, were 4,291; of that number 1,100 persons had been acquitted, and no bill had been found against 274. Yet those persons had been subjected to a very long imprisonment, before their cases were decided. He thought the remedy for this evil—that of a more frequent gaol delivery—could easily be obtained. What he and other individuals wished for, was, that one of the judges should take the criminal cases at the quarter sessions, while the ordinary business of appeals &c., could go on before the magistrates as usual. He, for one, did not think the administration of the criminal law would be perfect, while a prisoner could by any possibility, be kept in gaol for more than three months previous to his trial. The Lent and Summer assizes were extremely well fixed, in point of time; and he thought, if another gaol delivery took place in January, it would be a very beneficial measure. He could see no objection to leaving the capital offences to one of the judges, at the time of the quarter sessions, while the other business proceeded in the ordinary course. When the quarter sessions were held, both the grand and the petty jury were in attendance. The magistrates were also assembled, and the gentry, or what might be termed the public of the county, were present at that time. Perhaps it might be said, that the judges would be incompetent to perform this additional duty. He thought, however, that six of them might be spared for the purpose; and that three additional judges should be appointed to assist them. He did not think that the expense which such an appointment would occasion, could fairly be urged as a reason for not rendering the administration of the criminal law as perfect as possible. The object was no less than the prevention of absolute injustice.

Mr. Secretary *Peel* said, that any one who had read the petition, or had heard the speech of the hon. member for Essex, could not fail to be impressed with the importance of the subject of which it treated. He conceived that nothing could

be more proper to petition that House upon, and that hon. members conversant, from their situations in the country, with these matters, should express their opinion, as to the best mode of improving the administration of justice; and he thought the least return that could be made for the manner in which the duties of the magistrates were performed, was to attend to the representations made by them, involving subjects connected with the duties of their situations. He assured the House, that this subject had not escaped the serious attention of his majesty's government, and he hoped the communication he had to make on the subject would convince the House, that they were by no means disposed to undervalue the importance of the question. At the same time, the hon. gentleman opposite, must in candour admit, that they ought to approach a change in the established mode of administering justice in the country without due caution; and without taking especial care not to disturb that opinion as to the impartial administration of justice, which it was so desirable should be entertained by the country at large. The fact, that the system of this country was the most perfect system of jurisprudence in the world, imposed upon them the necessity of observing great caution in approaching it for the purpose of making any change. With regard to the remedies proposed by the hon. member for Essex, upon first sight, he could perceive many difficulties in the way of the adoption of the plan laid down by him. That plan was, that one or two judges should attend at the quarter sessions to preside over a criminal court, and make the grand and petty juries in attendance co-operate with him. In the first place, it was impossible to carry that plan into effect without increasing the number of the judges; and to that, all men who had turned their attention to the subject, entertained very great objections. That difficulty, therefore, must in the first instance, be surmounted, and then there would remain other difficulties of still greater magnitude. Any one who had witnessed the administration of the law at the quarter sessions, could not fail to have remarked the vast difference there was, betwixt the grand and petty juries on that occasion, and those assembled at the assizes. This being the case, the House would see to what it would tend; and nothing was more to be avoided in the establishment of a new gaol delivery, than the impression that criminal cases were disposed of with less care and attention than at the assizes. If there were an impression on the country that they were attended with less solemnity, it would greatly deteriorate the cause of justice. Another difficulty attending the quarter sessions was, that by law they were required to be held within a week after a certain period, which would disable the judge and the counsel, from returning to their duty in the courts in London, in term time. He would take, for instance, the October quarter sessions, to be held within a week of the 11th October. Supposing that day to fall on a Sunday, the session might not begin before the 19th, and the term beginning on the 6th November, how was it possible that the judge and counsel could return to their duties in the Court of King's Bench, and other courts, in sufficient time. The same would be the case in January. These, he knew, were but the details, and might be overcome; but the objection as to the number of the Judges, and other objections, were insuperable to any thing being done without the maturest deliberation. The best way was, to apply the means within their power to remedy the evil; and he had to state, that after full consideration, government had determined next winter, to make the experiment of a third gaol delivery in all the counties of the home circuit. Thus, in Essex, Sussex, Kent, Hertfordshire, and Surrey, a judge would go the circuit, and have the usual assistance of a grand and a petty jury. These counties were selected for the experiment, on account of their proximity to the metropolis, not being so open to the inconvenience in point of time, to which those more distant were subject; and also in consideration of the greater number of crimes, in proportion to the larger population. The county of Middlesex had eight gaol deliveries, on account of its vicinity to the metropolis, and he saw no reason why the principle upon which those increased deliveries were founded, should not be applied to other counties. But he must say, that he thought the present proposition an exception to the principle, on the ground of its impracticability, and, therefore, he must oppose it, at least until the experiment was tried to which he had already referred.

Mr. *Leycester* said, he had heard with

great pleasure the statement of the right hon. gentleman. There could scarcely be a more serious evil in society, than long imprisonment before trial, inasmuch as it subjected the innocent to punishment, and sometimes to heavier punishment than the guilty. More frequent gaol-deliveries would also furnish opportunities for the improvement of prison discipline. He had himself no doubt of a respectable attendance at the bar on these new commissions, and that the supply of professional men would be always adequate to the demand. During term, when four judges were sitting in each court of Westminster-hall, one might, he thought, be well spared for the additional circuit. There was, in his opinion, nothing impracticable in such an arrangement. It was not necessary for them now to refer to all the details and technicalities which might afterwards require consideration; let them only make up their minds as to the leading question—let them but once pronounce the emphatic *fiat*, and he doubted not that the point would be accomplished.

Mr. *Peel* rose, merely to supply an omission in his previous statement with respect to the new circumstances in which it would occasionally place some of the judges. Nothing could be more remote from the intentions of government than to subject them to any additional expense; and he felt confident that if additional expense should arise from the proposed system, that House would most readily make it good.

Mr. *Dickinson* was sorry to express his disappointment at finding that the measure of his hon. friends, the members for Essex, was not likely to be adopted, and that one so contracted in its circumference, and so narrow in its view with regard to its real object, was intended to supply its place. He had known many instances of the grievance complained of, one of which occurred now; a boy of twelve years old was accused by another boy of a felony; he was committed in the month of August; he was all the winter in gaol; and in the month of April he was discharged, for the grand jury found no bill. What good sense was there in saying that this remedy should be applied to Hertfordshire, a county purely agricultural, and where the criminals were notoriously few; and that it should not be extended to Somersetshire, where, from the population, crimes were committed in the largest number, and chiefly by criminals who came from towns of such dimensions as Frome and Bath. He was glad to hear that it was not intended to increase the labours of the judges: they were already oppressed with business; he hoped, also, it was not intended to add to the burthens of county magistrates; four actual weeks' sitting in a year, independent of travelling and other magisterial duties, he thought enough for them. He approved of the measure of the member for Essex, because it intended to give to the subject one of its best rights, *celerem et plenam justitiam*, which the other did not; he approved of it also, because in these times of agricultural distress, it would lessen the burthens on land, by rendering the building extensive gaols less necessary, and it would also promote the object of classification by lessening the inmates.

Sir *E. Knatchbull* said, that this subject was of the highest importance to the country, and he had heard with pleasure that a scheme was in contemplation, by which a great portion of the inconvenience would be removed. Even at the last assizes for Kent, it was found impossible to get through the business which had accumulated. One judge could not perform the whole; and so numerous were the criminal cases, that 18 out of 28 *nisi prius* causes were left untried.

Mr. *Chetwynd* said, that three years had elapsed since his hon. friend the member for Essex first called the attention of this House and the public to this important subject; and although the original proposition was not acceded to, it was generally understood, that some plan by way of experiment was contemplated by his majesty's government to remedy the evils complained of; otherwise, petitions to a similar effect would ere this have emanated from other counties. If it be a maxim of our law, as stated in a book of the highest authority, that "dilatio justitiæ est quædam negatio"—if there be any truth in the saying of a wise king of old, that, "because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is set in them to do evil;" and if it be for the advancement of the commonwealth that justice should be speedily and promptly executed, there cannot be two opinions as to the expediency and necessity of a more frequent delivery of our gaols, and that measures should be adopted to prevent the possibility of an innocent individual being im-

prisoned six, seven, eight, or nine months previously to his case being submitted to a grand jury. He (Mr. C.) said, that in the course of his experience as a magistrate, acting for many years in a large and populous county, instances had come within his knowledge of persons being imprisoned a much longer period before trial than after conviction—of others who, after having suffered six or seven months' imprisonment, the grand jury have decided that the evidence was insufficient to justify their being put upon trial—of others who, after long periods of confinement, had been discharged by proclamation, or acquitted upon the merits. Confinement itself, even in the most improved state of our gaols, was a very great evil, whether we consider the individual himself or the public, who were burthened with the expenses of providing accommodation for an accumulated number of untried prisoners, and also with the expenses of maintaining them. The evil being admitted, the next question was, as to the remedy, and this he thought could not be confided to better hands than those of the secretary of state for the home department. But he implored his majesty's ministers not to increase either the jurisdiction of the quarter sessions, nor add to the burthens of the magistracy, who were already so overloaded that independent country gentlemen were unwilling to take upon themselves that irksome office, and thus the administration of justice might eventually devolve into inferior hands. The hon. member observed, that magistrates were treated very leniently on the other side of Westminster-hall, but were very roughly handled in that House. Lord Mansfield had said, if their judgments be wrong but the heart pure, God forbid that he should punish them! Mr. C. said, he thought their motives were not so favourably interpreted in that House as they ought to be. With respect to the present judges, he thought that their labours should not, and indeed could not be increased. He rejoiced that they were not to incur any expenses with reference to the present experiment; their salaries were already very inadequate; and if no other member would bring the subject before the House, he, humble and insignificant as he might be, certainly would do so.

Mr. *W. Smith* said, that not one, but ten experiments ought to be made, rather than leave the prevailing system without a remedy. A case had lately occurred, in which a man who had inflicted every thing short of murder on a boy in his employment, who had died in consequence of his sufferings, was convicted of manslaughter, and sentenced to twelve months' imprisonment. Now, he had known an instance in Norfolk, in which an individual, after being confined many months, was discharged without any punishment at all. The hardship of long imprisonment was not in general duly appreciated. He earnestly hoped that a prompt and effectual remedy would be applied to this monstrous evil.

The *Attorney General* said, he was fully aware of the inconvenience suffered under the existing state of the law; but, in proportion as it was important, they ought not to adopt any scheme to amend it without adequate deliberation. The difficulty of dealing with the evil in question might be judged of, from the circumstance of there being such various opinions as to the mode of remedying it. An experiment was to be tried upon the home counties; and he was sure that it could not be extended farther without new modelling the courts, and increasing the number of judges. In all they did, they must, above all, take care that justice was administered satisfactorily to the people. Justice must be done without hurry; and the people must feel that they had the best talents of the judges. The situation of a judge should be an inducement to gentlemen of the highest talents at the bar. The judges had little enough leisure at present; and if they increased their burthens, no gentleman sufficiently qualified would accept the situation. After the experiment had been tried, the House would be better able to judge whether it should be continued or extended.

Dr. *Lushington* agreed, that no alteration ought to be made in the number of the judges, except upon the most mature consideration; but, if after the experiment should be tried, the judges were found incapable of bearing farther burthens, then he hoped the House would consent to increase their number. There had been periods in our history when the number of judges was greater. In the century before the last, there had been five judges in each court, and at one period six. When it was considered that the judges returned in October from the circuits, and that the next session began in November, it could not be supposed that they could bear additional labour at that period. No

mind was capable of perpetual tension. If business pressed too heavily, it destroyed the fitness for performing it. The additional expense was not to be set in competition with the expense in point of morality, occasioned by the long imprisonment of persons, who were young and perhaps innocent, in the society of felons. The case of Maidstone showed the necessity of a more frequent gaol-delivery. When three courts proceeded at once with criminal trials, the rapidity of decision must prove injurious to the character of the administration of justice. He would, however, be the first to oppose the appointment of judges for criminal cases only. With regard to the salaries of the judges, he had always been of opinion, that they were not sufficient to support the dignity of the office. It was not only an injury to the judges themselves, but an injury to the country; because there were many instances in which persons the best qualified to fill the situation had declined it, on the express ground that they could not afford to accept it.

Mr. *Sykes* thought that the experiment which had been so successfully tried in the four northern counties, might be advantageously extended to the other parts of the kingdom.

The Marquis of *Londonderry* said, that the plan suggested by his right hon. friend was sufficiently confined to insure all the advantages of local convenience, without hazarding its ultimate success by too extensive a scale of operation. The experiment on the northern circuit afforded an illustration of his argument; for in that instance a cautious, but not less accelerative system had been adopted; and the plan was not extended at first to all the counties included in that circuit. A still greater degree of caution was necessary in the present instance; and it would be dangerous to rush at once into so extensive an experiment as that of extending a third assize to all the counties in England. The country with which he was connected, looked with much anxiety to the result of this experiment; for there were many counties in Ireland where the calendars pressed as heavily upon the judges as they did in this country. His right hon. friend could not have given a stronger pledge to the House of the sincerity with which the government had entered on this measure, than by beginning upon such a scale as would enable him to place it upon the most advantageous practical principle, and to carry it most speedily into effect.

Ordered to lie on the table, and to be printed.

Marriage Act Amendment Bill.] Dr. *Phillimore* rose and addressed the House as follows;*

Mr. Speaker:—In conformity with the notice I have given, I have to request permission of the House to be allowed to bring in a bill to amend the 26th of Geo. 2, c. 33, usually denominated the Marriage Act. The measure I am about to propose has, in former parliaments essentially, and in substance several times received the sanction of this branch of the legislature; but in deference to objections entertained in another place, objections, however, in which it is but fair to add none of the distinguished lawyers either within or without this House, with whom I have consulted as to the formation of the bill, at all concur; still, in deference to those objections I have made considerable alterations in the structure of the present bill, and I am now about to introduce it, altogether re-cast and remodelled, to the House.—Under these circumstances, I feel it due to those members of the present House of Commons, to whose judgment and consideration this measure is now for the first time submitted — I feel it due to a question of such vast importance, affecting, as it necessarily must, to a certain extent at least, the very foundations of social order, and involving as it does in its consideration the peace, and happiness, and comfort of a prodigious number of individuals in this country;—I feel it due (if I may say so without arrogance) to the part I have myself taken in the furtherance of an object I have so much at heart—to explain to the House, as briefly as the nature of the subject will admit, the extent and magnitude of the evils which have grown up under the operation of the law as it now stands, and the nature of the remedies that I have it in contemplation to apply to them.

In order to put the House fully in possession of the scheme of the measure, I must recall their recollection for a few minutes to the state of the matrimonial law of England anterior to the passing of the Marriage Act in 1753; and I shall do this the rather because such a statement will necessarily carry with it a complete refutation of the principal objection which

* From the original edition printed for John Murray, Albemarle-street.

on former occasions, has been urged within these walls against the measure; namely, that it was an innovation upon long-established laws, and a departure from usages handed down to us from our ancestors.—By whatever title the Marriage Act may recommend itself to our favourable consideration (and I shall presently shew that there are titles by which it does so recommend itself), whatsoever respect or admiration it may claim at our hands, most undoubtedly it cannot rest its pretensions to them on the antiquity of its origin—to antiquity at least it can have no claim. The act itself stands remarkable for being the very first instance which occurs in our annals of any interference on the part of the legislature with the general * matrimonial law of the land. Neither at the Reformation, nor at any period in the long interval which elapsed between the Reformation and the year 1753, did our ancestors think it advisable to innovate upon the law in this respect.† Up to that period the law of marriage stood (as was generally the case throughout Europe) on the basis of the canon law alone—up to that period nullity of marriage, in the sense contemplated by the Marriage Act, was utterly unknown to the law and constitution of England. Nay, so repugnant is this doctrine to the uniform tenour of our laws—so hostile, as it were, to the very genius of our constitution—that those eminent lawyers of ancient days, who distinguished themselves by their struggles against the encroachments of foreign law, would have recoiled with horror at the possibility of their remote descendants being bastardized in any case where there had been a *de facto* marriage between the parents, and where that marriage had remained unquestioned and unimpeached during the the life time of the parties who contracted it.

Prior to the year 1754, any persons having attained the age of consent, which by the common law, * as well as by the canon law,† was fixed at fourteen in males, and twelve in females, were competent to contract marriage; and provided a minister in holy orders assisted at the ceremony, whether it was publicly solemnized in the face of the church, or clandestinely performed in a private chapel; whether it was had with or without the consent of the father or guardian, it was alike indissoluble.—Again, if two persons having attained the age of consent, *i. e.*, if a male of fourteen, and a woman of twelve years of age, entered into a contract *per verba de præsenti*‡, as it was termed, or an agreement to contract marriage, the contract was indissoluble, and either party might, at any subsequent period of their joint lives, be compelled, by a suit in the ecclesiastical court, to solemnize a marriage in pursuance of that contract. Further, if any boy above the age of seven, but under the age of fourteen, or any girl under the age of twelve, agreed to marry, the marriage unquestionably was only inchoate and imperfect; but if, on attaining the age of consent,§ they

* The 32 H. 8, c. 38, cannot be so considered; it declared, that all persons might lawfully marry, but such as were prohibited by God's law; and that all marriages contracted by lawful persons in the face of the church, and consummate with bodily knowledge, and the fruit of children, should be indissoluble; but it did not lay down any general law for the regulation of marriage.

† It is not my wish to have it understood, that an alteration of the law was never contemplated before this period; for I find that by an order of 31st March 1677, Dr. Lloyd and Dr. Exton (two eminent civilians of that day) were summoned to attend the Lords' committee, to consider of an act to prevent clandestine marriages; and, I believe, that soon after the Revolution a bill to prevent clandestine marriages passed the House of Lords, but was lost in the House of Commons.

* 1 Inst. 79.

† Decret. lib. 4, tit. 2, cap. 3, 4. The probability is, that both the common and the canon law derived their rules on this head from the Justinian Code. Cod. 5, 60. 3.—Dig. 23, 1-14.

‡ Si inter virum et mulierem legitimus consensus interveniat de *præsenti*, ità quòd unus alterum, mutuo consensu verbis consuetis expresso, recipiat, utroque dicente: Ego te in meam; et Ego te accipio in meum; vel alia verba consensum exprimentia de præsenti: sive sit juramentum interpositum sive non; non liceat alteri ad alia vota transire: quod si fecerit secundum matrimonium de facto contractum (etiam si sit carnali copulâ subsecuta), separari debet, et primum in sua firmitate manere.—Decret. lib. 4, tit. 1, c. 31.

§ From the age of seven to the age of

expressed their intention to abide by the engagement they had entered into during their infancy; the contract became indissoluble, and they might at any time be compelled, as in the former instance, by a suit in the ecclesiastical court, to celebrate a marriage in conformity with that contract. There were, it is true, laws* inscribed in the statute book;—there were ecclesiastical constitutions and canons † in existence, against irregular and clandestine marriages—the priest who solemnized them, and the parties who contracted them, were alike liable to punishment and censure; but the contract itself was indissoluble; and the practical result was, that those restrictions which a sense of duty and propriety—a deference to parental authority—the fear of temporal punishment—or the dread of ecclesiastical censure—might seem to impose, were found by experience utterly unable to withstand the impetuosity of youthful passion, and the snares of artifice and fraud. In one case, and in one case only,‡ could a marriage once had, be annulled and rendered void; that was in the case of a marriage by affinity, or, as it is otherwise termed, of an incestuous marriage; but even in this solitary instance, the marriage could only be annulled by a suit, and after proceedings had in a court of competent jurisdiction; and if such suit was not instituted, and the sentence pronounced, during the life-time of both the parties, all future inquiry into the legality of the marriage was barred, and the issue of it succeeded, without molestation or impediment, to the estates and property of their parents.

Such was the state of the marriage laws—such the sanctity with which the ceremony once had, was upheld—such the indissoluble nature of the bond—within seventy years of the period at which I am now addressing you; it was therefore, with his usual propriety and accuracy of expression that Mr. Justice Blackstone,* in commenting on this branch of English law, characterized the Marriage act as "an innovation upon our ancient laws and constitution."—Let not the House imagine for a moment from this statement, that I am about to endeavour to persuade them to revert to the ancient law. I know too well the inconveniences with which the system was fraught, and the abuses to which it was liable — indeed, any one but slightly conversant with the history of the times to which I have referred, must be sensible that the law of præ-contracts, and the impunity with which clandestine marriages were celebrated; not only in the chapels of the Fleet-prison and May-fair, but generally throughout the kingdom, justly excited the scandal and indignation of our forefathers, and called loudly for the redress and reformation they experienced at their hands.† For what purpose, then, have I made this reference? Partly, Sir, to tear off the veil of antiquity under which it has been attempted to shroud and conceal the deformity of the Marriage act; and partly also, I am free to confess, with a view of showing that, by an impulse not unnatural in the human mind when employed in the investigation and correction of long existing abuses, the framers of that act were precipitated from one extreme to another—from the extreme of laxity and negligence to that of undue severity and rigour.

The history of the Marriage act is well known; it originated in the House of Lords—several members of that branch of the legislature having been scandalized at some instances of clandestine and informal marriages which had been brought

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twelve, as to the woman; and fourteen as to the man, they cannot contract matrimony *de præsenti*, but only *de futuro*.—Swinburne, s. 7.

* 4th and 5th, Ph. and M. made every man liable to fine and imprisonment, who married a woman child under sixteen years of age; and gave her estate during her husband's lifetime to the next heir; —but the marriage was indissoluble. By the 6th and 7th Will. 3rd, c. 6th; 7th and 8th Will. 3rd, c. 35, 10th Ann; c. 19, various penalties were imposed on clergymen who married parties without publication of banns or without license.

† See the 62nd Canon.

‡ A marriage with a person who was under a præ-contract to another person, was placed on the footing of a marriage with one who had already a husband or wife.

* Blackstone's Commentaries, Vol. 1. p. 438.

† It was stated, in the course of the debates on the Marriage Act, in the House of Commons, as an authenticated fact, that 6,000 marriages had taken place, within one year, in the chapel in the Fleet prison. See Parl. Hist. v. 15, p. 19.

under their cognizance, while in the exercise of their judicial functions, directions were given to the twelve judges to prepare a bill to remedy the existing abuses. In conformity with these directions a bill was framed, but it was found so objectionable in its provisions that it was speedily abandoned. Lord Chancellor Hardwicke then undertook the task, and brought in the act in question. It passed the House of Lords,* with little opposition; but in its progress through the Commons it underwent a very protracted discussion—encountered the most violent opposition that is recorded of any measure† that was agitated at that period, and engendered heats and animosities, of which the memory is scarcely yet entirely extinguished. In fine, it was returned to the upper House, so modified and changed as to its provisions as scarcely to be recognized by those with whom it had originated. Lord Hardwicke nevertheless strongly pressed the expediency of passing the bill in its altered state,‡ as an alternative preferable to the risking the loss of the measure, distinctly stating that opportunities might be taken in a future session to amend the exceptionable clauses which had been introduced into the act. And here, Sir, I must not be understood as presuming to argue that the alterations now proposed were at all in the contemplation of lord Hardwicke. I am free to confess that perhaps they were the very last which would at that period have suggested themselves to his consideration; he depended on other machinery for the execution of his measure—but this I will maintain, that lord Hardwicke was well aware that a law, which went at one blow to overturn the matrimonial law of England as it had existed for centuries, might naturally stand in need of revision and re-consideration; and that if he had lived to see the practical working of this measure, and those effects which never could have been anticipated by him, he would have been one of the first persons to have proposed a remedy for the evils it has introduced into society.

* It was opposed by the duke of Bedford, and eleven or twelve peers.

† Perhaps I ought to have excepted the Jews Naturalization Bill.

‡ See Hardwicke papers; the account is given in a letter from Dr. Birch to Mr. Philip York, and will be found in the parliamentary History, v. 15, p. 84.

I must not be understood from any expression that may escape me in the course of this discussion, to derogate from the real value of the Marriage Act. The act is valuable for its leading and characteristic principle, for the very basis on which it rests, viz., that no person under the age of twenty-one years should marry without the consent of a parent or guardian.—In marriages by banns, the publicity of the notice, it was presumed, would afford ample opportunities to the parent or guardian to express his dissent, if he felt it his duty so to do. But, in all marriages by license, with which I propose first to deal, it was made an imperative provision, "that there should be the consent of the father of the party under age, (if then living), or if dead, of the guardian or guardians lawfully appointed, or one of them; or, if there should be no guardian or guardians, then of the mother if living and unmarried; or if there should be no mother living and unmarried, that of the guardian or guardians of the person appointed by the court of chancery." And assuredly it is a just and wise provision, that those whom the policy of the law protects in all other contracts, should be protected also in this the most important of all contracts, the one, too in which from the passions incident to youth, the warmth of temperament, and the carelessness of the future by which that season of life is so peculiarly characterized, they are most likely to be exposed to the allurements of temptation, and to become the victims of artifice and fraud. I am quite convinced that authority to the extent given by this law ought to be conferred on parents or guardians, as the best preservative against those misfortunes which so frequently embitter the whole tenor of domestic life, and rend in pieces the dearest ties which unite individuals together in society.—The Marriage Act is valuable also for having swept away for ever all marriages *per verba de præsenti*, and expunged * from the matrimonial code the whole law of præ-contracts which were the scandal and disgrace of the times in which they flourished. It is valuable also for the institution of the registration of marriages; these provisions would of themselves be sufficient to entitle the framers of the statute to the gratitude of posterity.

* The law of præ-contracts, in Ireland, was not repealed till the 58th Geo. III. c. 81.

The objections to the statute; the evils I am anxious to remedy, arise from the sanctions by which it is attempted to be enforced, and the penalties which have been annexed to the violation of its enactments—sanctions holding out such an encouragement to fraud, such a lure to perjury, that they are a disgrace to the Statute book—penalties so tremendous, breathing such vengeance against posterity, that eminent judges in expounding the law, have been compelled to admit that they were intended to operate against the innocent *; penalties which allow to the most guilty not only escape, but impunity—impunity, indeed, is too mild a term, they go farther, they hold out to guilty passion the strongest stimulus to the encouragement and commission of crime. The fact is, the framers of the act looked to terror for the inforcement of their law—it was by dint of this engine, and this engine alone, that they hoped to insure the execution of it. The machinery has failed in its operation—the effect of the law has been very generally countervailed and defeated, and under the shadow of it an extensive system of injustice and immorality has been fostered, and reared to maturity.

In two instances marriages, by the operation of this act, become null: First, When they are solemnized under the age of twenty-one years, without the previous consent of the parent or guardian. Secondly, When they are solemnized in churches and chapels, in which banns had not been published prior to the 25th of March 1754. By a singular anomaly, the penalty has scarcely ever been allowed to attach in the latter instance, whereas, in the former instance, no obstacle has ever been interposed to the unrestricted scope and operation of the law. By this enactment of nullity, they became, as it were, marriages which never had any legal commencement. No subsequent act, therefore, no recognition, no acknowledgment, no cohabitation of the parties after they have attained their majority; no lapse of time can give effect and validity to such marriages, *tractu temporis non convalescunt*. It follows therefore in practice, that a man frequently obtains a license on a false statement of his own age, or of that of the person with whom he is about to intermarry; this may be the effect of error, of design, or even of mere inattention to the subject matter of the affidavit, but from whatsoever cause it proceeds, the effect is the same; it is competent to him at any subsequent period of his life to avail himself of his own erroneous statement, and in defiance of the oath he made when he obtained the license to prove the minority of either of the parties at the time of marriage, and the absence of the previous consent required by the statute; and he is then, as a matter of course entitled to a sentence declaring this marriage to have been null and void, *ab initio*. This is no fanciful or theoretical, no accidental, or isolated case. The time when he shall lay claim to the benefit of his own fraud or of his own laches, whichsoever it may be, will vary according to his temperament, to his passions, his temptations, or even his caprice; in short, according to every circumstance which ought to have no effect in licensing the dissolution of the marriage contract. Sometimes the application to the ecclesiastical court for a sentence of nullity will be made within a year after the marriage; in other cases, seven, eight, nine, or ten years, will be suffered to elapse, and instances are not rare of the application having been made after a cohabitation of more than twenty years.

I am well aware that persons, not conversant with the actual operation of this statute, will scarcely believe this statement; it is, indeed barely credible, that, in the state of civilization in which we are living, and under the sense which is happily entertained in this country of moral and religious obligation, it should be possible for a man, when impelled by passion, or ruffled in temper, or sated with enjoyment to discard his wife at his pleasure—when elated with prosperity, to dismiss her who has borne, together with him the struggles of adverse fortune; or when too indolent to maintain his children, to rend asunder all the tender charities of life, and turn his offspring loose upon society, as helpless and fatherless vagabonds. Yet these and similar proceedings are licensed by the Marriage Act, and those who are acquainted with the proceedings of the courts in which such facts are most likely to be developed, will know that I am not indulging in an exaggerated statement, or referring to facts of rare and unfrequent occurrence. Nor is the institution of proceedings of this description confined to the husband (for so, in common par-

* King v. Inhabitants of Preston; 2 Burrows, 827; 1 Blackstone, 192.

lance, he* may be called) alone; on an average, I think these suits almost as frequently originate with the wife †, who, however forgetful she may be of the delicacy of her sex, has seldom an opportunity of adding perjury to her disgrace, as the license is generally obtained upon the oath of the man ‡.

Injurious as these examples are to society, degrading as they are to the institution of marriage, the evil does not rest here; it is on the innocent issue of these ill-fated marriages that the severest punishment is inflicted, the children, the grand-children, the remote posterity, the very *nati natorum* may at any time be amerced of their estates and possessions, on proof made of the want of lawful consent to any one of the marriages of the description to which I have been alluding; so indelible is the stain, that it can never be effaced. I am bold to maintain, that, under the actual operation of this law, no person who hears me is secure in the possession of entailed property—no member in the other House is safe in the enjoyment of any high dignity, which has descended to him in virtue of any marriage contracted since the 25th of March, 1754; for who can say that any one of the male or female ancestors from whom he deduces his descent, may not have married in violation of the strict letter of the Marriage Act. Centuries may roll on,—generation may succeed generation—but the lapse of time affords no protection against the operation of this law; the very foundations of property are shaken by it to their centre. I really believe there is no law at this moment in civilized Europe which savours so much of barbarism; the cruelty of its operation is unparalleled.—The terms in which the nullity is denounced are probably borrowed from an enactment of nullity, which is to be found in one of the decrees of the council of Trent*. but in that decree the penalty only attaches to those marriages which are performed without the intervention of a minister in holy orders, and without the presence of two or three witnesses; that is, it defines what ceremony shall constitute a marriage; it does not as in the case we are considering, make the nullity depend upon the conduct of the party who has at once the power of creating it, and the power of concealing it.—But whatever may be the enactments of foreign law, sure I am that the nullity clause is at variance with the whole spirit and analogy of our English law. I speak not of the matrimonial law alone, but I maintain that it is in direct violation of those great and fundamental principles on which the law of England proceeds; it undermines prescription, the basis on which we rest for the permanence and security of our possessions. It subverts the law of inheritance—for by the law of inheritance no man can be stript of an estate after he has possessed it sixty years without molestation—a possession of sixty years quiets all difficulties of title, to the law of marriage alone there is no limitation of actions.

Unquestionably Ireland has, in this respect, taken the lead of England in civilization and humanity. The legislature of that kingdom passed an act so long ago as in the year 1735,† in its spirit and pro-

* He is the *de facto* husband, although if the marriage should be declared null *ab initio*, he is not a husband in the sense of the law.

† The case of Watson *v.* Little, (Consist. of London, May 21, 1805,) furnishes a remarkable instance of a shameless proceeding of this description on the part of the woman. The marriage took place in 1787, the man obtaining the license on an affidavit that both parties were of age, he knowing himself to be so, and the woman having assured him that such was the fact as to herself. They had issue six children, and cohabited eighteen years, when the woman instituted a suit for a nullity, and on proving that she was a very few weeks less than of age when the license was granted, obtained a sentence, and bastardized her issue.

‡ Only two instances occur to my recollection, in which I have observed that the license has been obtained upon the oath of the woman.

* Qui aliter, quam præsente Parocho, vel alio sacerdote de ipsius parochi, seu ordinarii licentiâ, et duobus vel tribus testibus, matrimonium contrahere attentabunt: eos sancta synodus ad sic contrahendum omnino inhabiles reddit; et hujusmodi contr[illegible]s irritos et nullus esse decernit, prout eos præsenti decreto irritos facit et annullat.—Can. et Dec. Conc. Trid., Sess. 25, c. 1.

† 9 Geo. 2, c. 11.—By this act marriages and matrimonial contracts, where either of the parties are under the age of twenty-one, without consent of the

visions very much resembling the Marriage act, except that its operation seems to be restricted to persons possessed of a certain amount of property: by that act, marriages of minors, without the consent of the father or guardian, were rendered null and void *ab initio*; but in a subsequent clause bounds were set to the operation of the law, and it was provided that, if no suit should be instituted within a year* after the parties attained their majority, the marriage should be good and valid to all intents and purposes whatsoever.

In order to bring the facts I have stated home to the judgment and feeling of the House, perhaps it may be permitted to me to refer to the particulars of some of the cases which have occurred in the ecclesiastical courts. The cases of Wattle† v. Hathaway, and of Hewitt‡ v. Bratche, furnish as strong an illustration as can be adduced of the effect and operation of the law; and they are of the highest authority, as the sentence in both of them was affirmed by the Court of Delegates. In the first, that of Wattle v. Hathaway, the woman was a minor at the time of the marriage; the husband obtained the license by making oath that she was of age. They cohabited some years, and had issue four children; when being in great poverty and distress he went to India, and there realized a considerable fortune. He returned to England; and, after his marriage had subsisted twenty-seven years, instituted a suit for a nullity of marriage, on the ground of his wife having been a minor at the time he had sworn her to be of age, and he succeeded in his suit.—In Hewitt v. Bratche also, the woman was a minor at the time of the marriage; the man obtained the license by swearing that she was of age; and twenty-five years afterwards, he availed himself of his own perjury, to obtain a sentence declaratory of the nullity of the marriage.

I now pass to four cases which were decided in the courts at Doctors' Commons, two years ago, within the space of two months. I select them in preference to many others, because they vary in their circumstances, and show how generally the intention of the framers of the Marriage act has been defeated by the actual operation of the law.—In Johnston v. Parker, the marriage was in 1796. The man swore he was of age at the time, though in point of fact he wanted five weeks of his majority. As proof of this fact, the marriage was, at his suit, declared null* by the consistory court of London, in April 1820, after it had subsisted twenty-four years.—In Riddall v. Leddiard, the marriage was solemnized in October, 1818†, with the consent of the guardian of the woman, she being a minor; the guardian, however, was appointed by a will attested by one witness‡ only, and a statute, passed in the time of Charles the 2nd, requires two witnesses to any will appointing a guardian; and, on proof of the fact of the will having been attested by only one witness, the marriage was held to be null and void by the Arches Court of Canterbury, on the 8th day of May, 1820. The learned judge in giving sentence in this case, concluded with the following manner: "This marriage is in no degree clandestine, it has been solemnized with all the requisites of law. The court must deeply lament

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father, or, if dead, of the guardian, given in writing under his hand, or if there be no guardian, of the lord chancellor; are declared to be null and void, *if* the minor is entitled to 100*l.* per annum, real estate, or personal property to the amount of 400*l.*; or if the father and mother of the minor are in possession of 100*l.* per annum, real property, or 2,000*l.* personal property.—By a subsequent clause, persons marrying, or contracting to marry, a minor, without the consent above stated, possessed of 10,000*l.*, forfeits 500*l.* otherwise only 200*l.*

* Sect. 3.—"Provided always, that if no such suit be commenced within one year after the solemnization of such marriage, or the making of such matrimonial contract, such marriage or matrimonial contract shall, *from the expiration of the said year, be good and valid*, to all intents and purposes, as if this act had never been made."

† Delegates, 1789. ‡ Delegates, 1809.

* I rather apprehend that I may have inaccurately stated the date of the final sentence in this case; the proceedings are not at this moment within my reach, but I believe that the cause, though in substance decided in April 1820, stood over for further evidence as to one fact till a later period; the issue of the suit is correctly stated.

† This suit was brought by the woman.

‡ 12 Car. 2, cap. 24, sec. 8.

to see such a case brought before it; it is a case of hardship on society that persons should have been so long living together as man and wife, and be cast loose on society; but it is in vain for the court to observe on the hardship so long as the law continues on its present footing. As the law now stands, there is nothing to be done but to pronounce this to be an invalid marriage."—In Hayes v. Watts, the marriage was in 1800,* with the consent of the mother, who supposed herself a widow, her husband having gone to sea ten years before, and been reported to be dead. He, however, returned to England, and on proof of the want of his consent to the marriage, it was in May, 1820, adjudged to be null.—In Jones v. Haslewood, the parties were married in 1782, by a license obtained by the man, in which both parties were stated to be of age. He, however, was a minor, and had not the consent of his father to the marriage; and, on proof of these facts the nullity was established by the court of arches on the 20th of May 1820, after the marriage had subsisted thirty-eight years, in consequence of a suit promoted by the woman.

Severely as the law operates on the description of cases to which I have alluded, there is yet a peculiar cast of persons on whom the penalties of this vengeance-breathing statute press with infinitely greater rigour,—I mean on illegitimate children married, while under age, by license, especially on all those who were married prior to the decisions which of late years have taken place on the construction of the statute. In many instances these ill-fated persons have become the victims of an interpretation put upon the statute, which men of ordinary capacity and ordinary knowledge applying their minds to the consideration of the subject, could not have foreseen or anticipated. In cases for instance, where the putative father—in others, where the testamentary guardian appointed by the putative father—in others, where the natural mother have been present at and consenting to the marriages,—the marriages have nevertheless been held null and void for want of the legal consent. I dispute not the soundness of the decisions which have ruled this point; but this I say, that it required legal subtlety and acuteness; it required a mind exercised in legal questions; it required a deliberate consideration of the intent and spirit of the statute, to ascertain that none of the persons whom I have been describing were qualified to give the consent exacted by the law, and to arrive at the settled conclusion, that the marriage of every illegitimate minor which was solemnized without the consent of a guardian appointed by the high court of chancery was *ipso facto* void. I am justified in these assertions, because it was only after long and elaborate arguments in various courts of justice, and after doubt and hesitation on the part of some of the learned judges, before whom this question has been at different times argued, that the point was finally determined. The first decision on the subject was given by sir William Scott, in the case of Horner v. Liddiard, in 1799; and ten years subsequent to this lord Ellen-

* From a note I have of this case, it appears that the following amongst other expressions fell from the learned person who pronounced judgment in this case:

"This marriage was not clandestinely had, but it is admitted, that the woman was a minor, married by the consent of the mother who was supposed to be a widow. The father was in fact then living, he is still living, and he only could legally give consent; without his consent the marriage is null and void. Eighteen years after the celebration of the marriage, without any alleged impropriety, this proceeding is instituted, not at the suit of the husband, as more frequently happens, but at that of the wife. It does not appear whether there is any issue. It is the duty of the court to be completely satisfied that the marriage was a mere nullity: if it was, I have only to pronounce it to be such. The marriage took place on the 29th of May, 1800. The woman was rather under twenty years of age; her mother consented to it; there is no suggestion of any fraud; but there is no doubt as to the minority; the very circumstance of her being married as a minor with the consent of her mother, establishes that fact. The want of the consent of the father is proved. Though the parties did contract marriage, and were connusant of each other's age, yet either of them have a right to a sentence from this court, declaratory of the nullity: indeed, no such sentence is necessary; but it is a matter of convenience to the parties, and a duty to the public, to declare the situation in which this man and woman stand to each other."

borough, after some hesitation,* as it has always been supposed, gave a decision to the same effect in the court of King's-bench, in the case of Priestly v. Hughes.

Harriet Liddiard was the natural daughter of John Whitelock, by Sarah Liddiard. Mr. Whitelock at his death bequeathed to her considerable property, and appointed, by a will regularly executed, her mother and another person, his executors and the guardians of the person of his child. Soon after she attained the age of twenty, she was married to Mr. Horner,† with the entire approbation and concurrence of her mother (the other guardian appointed by the will being dead), which approbation was expressed in the license, and confirmed by her presence at the wedding. Three years afterwards, this marriage was held to be null and void for want of lawful consent, on a suit instituted by Mr. Horner.

In Priestly *versus* Hughes,‡ John Wynne Hughes was married in September 1792, to Jane Roberts, the illegitimate daughter of Thomas Jones, in the presence of her natural mother, and with her consent formally expressed in the license. John Wynne Hughes died in 1793, leaving an only child, a daughter. In 1796 the father of John Wynne Hughes died, leaving considerable property, which apparently vested in his grand-daughter, but in 1809, that property was wrested from her by the heir at law, who proved that her mother had not the consent of a guardian appointed by the Court of Chancery to her marriage.

Subsequent to these decisions, many cases of a similar description have occurred, and if the law be not altered many more must occur: I will content myself here with mentioning one which was decided in the course of last term. Frances Davidson, born in August, 1779, was the natural daughter of James Boorder. Her father died while she was very young. In December, 1798, she was married to John Henry Carles, on whose oath, and on that of her mother, the license was obtained; the mother, too, was present at the marriage, and signed the entry in the register. In December, 1821, this marriage was pronounced null and void, upon a suit brought by the woman, after it had subsisted twenty-five years.

Had I not been apprehensive of exhausting the indulgence of the House, I could readily have prepared myself with the details of an infinite variety of cases of this description, which have occurred within the eighteen years during which I have been conversant with the practice of ecclesiastical courts. I believe, for a considerable time after the passing of the act, cases of this description were comparatively few in number, but they have exceedingly multiplied of late years, and for obvious reasons will probably proceed in an increasing ratio. In order to form some calculation as to the probable amount of them, I have procured a list of all the causes decided in the Arches and Consistory courts, since 1810; and I think I have seen enough of the nature of these causes (though the list has only been a few hours in my hands) to justify me in venturing to affirm, that within this period at least forty cases of nullity of marriage, on account of the want of the previous consent required by the statute, have been decided in the Consistory court of London, and at least twenty in the Arches court of Canterbury. If we further consider that, in addition to the two courts to which I have alluded,* all

* Mr. Justice Le Blanc and Mr. Justice Bayley concurred with lord Ellenborough in this judgment. Mr. Justice Grose was dissentient from it. He considered the consent to the marriage of an illegitimate minor to be a *casus omissus* in the statute. This case was twice argued before the court, and the court took time for consideration.

In the King v. the inhabitants of Hodnet, 1st Term Reports, p. 96. The marriage of an illegitimate minor by license was held to be null and void under the Marriage act, but in that case no consent was given by any one, and the question was expressly decided by lord Mansfield on that ground.

† See Dr. Croke's report of the case of Horner v. Liddiard, Consistory of London, 1799.

She was described in the license as Harriet Liddiard, otherwise Whitelock, a minor; and, it was stated that the marriage was about to be solemnized by and with the consent of Sarah Liddiard her mother and guardian. The marriage took place on the 7th of March, 1796. The suit was instituted in February, 1799.

‡ East. Term Reports, p. 1.

* It consists with my knowledge that

the Consistorial courts, and all the Ecclesiastical courts, of peculiar and exempt jurisdiction, within the provinces of Canterbury and York, have cognizance of suits of this description—if we add to this, that many of these cases come before magistrates in their sittings at quarter sessions (as several hon. members, whom I see in different parts of the House, will testify)—that they sometimes find their way into courts of common law—and finally, that there are many of them which are never brought into any court, for it has been repeatedly held that the sentence of a court is not necessary to establish the illegality of one of these marriages—if we take, I say, all these circumstances into our calculation, we must be irresistibly impelled to the conclusion, that the evils I am endeavouring to remedy are of a nature and extent to call loudly for legislative interference.

I now proceed to the details of the measure. The first clause in the proposed act will go to the entire repeal of the nullity clause in the Marriage act. Instead of a marriage, in which the consent required by the statute has not been given, being null and void to all intents and purposes in law whatsoever; I propose to give to the father of the minor, if living; if dead, to the guardian of the person; if there be no guardian, to the mother, if living and unmarried; and if there be no mother living and unmarried, then to a guardian appointed by the court of chancery—the power of annulling it, by a suit to be instituted in the ecclesiastical court of competent jurisdiction for that purpose. In my former bill, a similar power was given also to the parties contracting the marriage, for six months after they should have attained their majority—if the House wish that persons should be vested with this authority to impugn their own acts, I must bow to their decision. But, after the most mature consideration that I have been able to apply to the subject, I really have not been able to bring myself even to appear to sanction a course of proceeding which, in principle, seems to me so utterly unjustifiable. I strongly feel that minors who, by their own voluntary act may have united themselves in marriage, and who have ratified that act by continuing to cohabit one day after they have attained their majority, ought not to be authorised to recede from engagements they have solemnly contracted long after the age when they were capable of consent, and long after the period when, if they had been married by banns, the marriage must have been indissoluble.

In order to obviate a possible inconvenience which it was suggested might arise from parties clandestinely married without the consent of their parents or guardians withdrawing beyond sea, or without the jurisdiction of the English ecclesiastical courts, and remaining abroad till they might attain their majority, and being enabled by such conduct to baffle the intent, and elude the operation of the law; I have introduced a clause,* bor-

within the period alluded to, suits for nullity of marriage on this ground, have been entertained in the Peculiars Court of Canterbury, in the Consistory court of York, in the Court of the Dean and Chapter of Westminster, in the Consistory of Rochester, &c. &c. It is to be observed also, and it is worthy of the most serious consideration, that causes of nullity involving such important rights of property, and affecting, as they do, the legitimacy of issue, as well as the validity of the marriage bond, must frequently be decided in the country Ecclesiastical courts (which unfortunately abound throughout England), by persons who have had no opportunity of acquiring legal knowledge and experience, but whose sentence nevertheless, if not appealed from, is as valid and conclusive as it would have been if it had been pronounced by either of the learned judges who preside over the Ecclesiastical courts at Doctors Commons.

* 23 George II., cap. 10 (Irish), was passed for the purpose of explaining and making more effectual the 9th of George II., cap. 11. (Irish). The following is the clause to which I allude: "And whereas since the making the said act, many persons intending to avoid the force and effect thereof, and to evade the same, have left this kingdom or absconded to avoid the service of process in a suit, to be instituted pursuant to the said act for annulling such marriage or matrimonial contract: be it enacted by the king's most excellent majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present parliament assembled, and by the authority of the same, That from and after the 29th day of September 1750, it

rowed in substance from an act which passed the Irish legislature in 1749, which will have the effect of authorizing parents and guardians, on the occurrence of such a case as that which I have stated, to file a libel in the ecclesiastical court of the diocese within which the minor was resident at the time of the marriage, and empowering the ecclesiastical court to proceed to hear and determine the cause in the same manner as if the party proceeded against was resident within the diocese, if it shall be shewn by affidavit that such party had been served with the process of the court, and consequently had received due notice of the pending proceedings.

So much for the prospective part of the bill; but I feel that we should fall infinitely short of our duty, lamentably short of that justice which the country has a right to expect from our hands, if we did not, to a certain extent at least, give a retrospective effect to this measure, and endeavour to alleviate that dreadful state of wretchedness and uncertainty in which so many individuals, and so many families have been plunged by the cruel operation of the existing law. Accordingly, the House will find in the bill, a clause which enacts that in all cases of marriages solemnized anterior to the passing of this act without the necessary previous consent, where both the parties shall have attained the age of twenty-one, and have continued to live together as husband and wife, such marriages shall hereafter be deemed good and valid, unless either of the parties to such marriage shall institute a suit in a cause of nullity, within six months after the passing of the act. It is with extreme reluctance that I have opened the door to the institution of suits of this description for six months after the passing of the act; nothing could have induced me to give way on this point,* but the apprehension which many of the friends of the measure entertain, that the omission of a proviso to this effect might endanger the success of the measure in another place.

On general principles, I feel the argument in favour of the retrospective operation of the bill to be exceedingly strong. If a law by experience is found to be prejudicial to the community—if, instead of promoting order and equity and justice, it holds out a temptation to perjury and fraud, and tends by its operation and effect to vilify and degrade in the estimation of the community, that institution which for obvious reasons ought to be upheld as a primary object of respect and veneration; surely no delay should be interposed to the repeal of such a law. Surely, also, the repeal should be as complete and effectual as possible, and in the manner best calculated to heal all

shall and may be lawful to and for the father, guardians, or guardian of such infant, who shall marry without such consent as aforesaid, and the parties entering into the same or either of them, shall leave this kingdom or abscond, by which means it may be difficult to serve process in a suit to be instituted for annulling such marriage or matrimonial contract; or in such case, if there be no father or guardian, for any person or persons to be appointed by the lord chancellor, the keeper or commissioners of the great seal, for that purpose within one year after such marriage or matrimonial contract, file an allegation in the ecclesiastical court of the diocese, where such infant was usually resident before his or her going out of this kingdom, or entering into such marriage or matrimonial contract, in the same manner as if the necessary parties had appeared in a suit instituted in the said court to annul such marriage or matrimonial contract; which ecclesiastical court shall thereupon issue process to compel the persons so marrying or entering into such matrimonial contract, to appear in the same court within a time therein to be limited, and shall have full power to proceed to hear and determine the said cause, in the same manner as if the parties thereto were resident, and the said marriage or matrimonial contract entered into within the said diocese, if it shall appear by affidavit that such process was served in the usual manner on the said parties, whether in this kingdom or in any parts out of this kingdom; and, if it shall appear in the said suit by proper proof, that the said recited marriage or matrimonial contract was contrary to the said act, such marriage or matrimonial contract should be adjudged and declared by the ecclesiastical court where such suit shall be commenced, to be absolutely null and void to all intents and purposes.

* In the first bill I brought on this subject (in 1817), there was no such permission.

the wounds which, by its operation, it may have inflicted on society. Those who maintain the contrary position undoubtedly appear to reason more like lawyers than legislators or statesmen. The great and characteristic distinction between persons exercising these distinct functions I apprehend to be, that the lawyer has his rule to go by; his rule must be the sole guide of his conduct; he can travel neither to the right nor to the left of it; he cannot look *dehors* (if I may be allowed the expression) the letter of the law. Whereas the legislator stands on higher ground. He is to look to the fixed and immutable principles of morality—to the interests of social order—to the substance of original justice—to the two main pillars of all law—equity and utility. By utility I mean, not utility limited to the benefit or advantage of any particular individual, or any particular class of individuals, but general public utility, embracing the interest, and comprehending the welfare and good government of the whole community. If it were otherwise—if the existence of an unjust law were to be an argument in favour of its continuance—if it is to be maintained, that however true it may be that this law is undermining the foundations of society—is working iniquity, and fraught with injustice—yet because it has been acknowledged as the law, we must admit its operation up to a certain period—we must not put a stop to all the iniquity and all the injustice that we can—we must not benefit society to the utmost of our power, lest we should prevent some contingent benefit flowing from this unhallowed source to some particular individuals—if this is to be the course of reasoning seriously maintained on such a subject, we had better at once abdicate our functions as legislators. "Quod si populorum jussis—si principum decretis, si sententiis judicum—jura constituerentur—jus esset latrocinari—*jus adulterare*—jus testamenta falsa supponere—si hæc suffragiis aut scitis multitudinis probarentur." Sir, this language, powerful and eloquent as it is, is quite as applicable to the question we are discussing, as it was to that to which it was more immediately addressed. It is the language of one of the greatest statesmen and philosophers of antiquity—of one who had sounded the very depths of morality, of science and of law. He could not refrain from expressing his contempt and indignation at the idea of upholding, for one moment, the operation of any municipal law which impugned and counteracted the great and fundamental principles of justice. Mr. Burke emphatically expressed the same idea, when he exclaimed, "that it was not the black letter or the king's arms that made the law, but that we must look for it elsewhere;" and we find the same great statesman, in another passage of his immortal works, laying it down as an axiom, "that laws can derive no authority from their institution merely, independent of their subject matter." I am confident in maintaining, that the Marriage act, by its actual operation and effect, as far as any municipal law can license that which is a *malum in se*, does license adultery. If two persons of mature intellect, and perfectly competent to understand the nature of the contract in which they engage, are united together in a *de facto* marriage, deficient in no circumstance enjoined by the religious institutions of the State—if they cohabit together as man and wife, and acknowledge each other as such for many years after they have attained the age of twenty-one years, and then, advanced to middle age, separate, on the ground of the want of parental consent to their original union, and severally intermarry with other persons—will any one deny that persons so conducting themselves, though they may not be amenable to punishment according to the strict letter of the municipal law, are not, in the eye of God and man, guilty of the crime of adultery? Or can it be contended that the municipal law, which sanctions such conduct, does not, in point of fact, and according to the rule of that law which is engraven in our hearts, authorize the commission of adultery?

I have addressed thus much of the argument to the House in its legislative capacity; but to take the question on the lower ground, and to discuss the subject as lawyers, even here, I think, I shall be able to satisfy the House, if they are to be guided by precedents, that they ought to give a retrospective effect to this law; for I have a precedent to adduce, which, to borrow a trite expression, runs upon all-fours with the act which I am proposing to introduce. In 1781, the present marquis of Hertford, then lord Beauchamp, brought in a bill to legalize all marriages which had been solemnized in churches and chapels in which banns had

not been published antecedently to the passing of the Marriage act. A settlement case, in which a question had been raised respecting a marriage had in a church of this description, had been taken by * *certiorari* to the Court of King's-bench, and that court had been unanimously of opinion that the marriage was null and void. Lord Beauchamp's bill† passed this House, and the House of Lords, as it were, by acclamation—no dissentient voice was raised against it—not a syllable was uttered as to the rights of third parties; the bill was entirely retrospective—it gave effect to marriages which were null and void *ab initio*. It had no prospective operation; and in the course of the discussion which took place in the House of Lords, the lord chancellor (lord Thurlow) distinctly admitted that it was intended to operate upon all existing suits, and to put a stop to any proceedings in courts of law, which might be instituted to annul any marriage had in violation of this provision of the law. In 1805, bishop Horsley, no mean authority on any question of this description, brought a bill‡ into the House of Lords to the same effect as that which lord Beauchamp introduced in 1781. This bill likewise received the unanimous approbation of the legislature, and, when passed into a law, had the effect of legalizing many marriages which, under the enactments of the Marriage act, were absolutely null and void.

I am at a loss to understand how these remedial laws, expressly introduced with the view of quieting subsisting marriages, and legitimating the issue of them, are to be distinguished in principle from the clause which we are now discussing. They appear to me to stand precisely on the same ground. In both instances marriages exist *de facto*, but not *de jure*; in both instances, therefore, the marriages are absolutely null and void, consequently nothing short of a retrospective law can give effect and validity to them; such a law has been resorted to in one instance, why is it to be withholden in the other? The rights of third parties (if such unhallowed pretensions are to be misnamed rights) are alike affected in the one as in the other case; for if there be a nullity of marriage, the relative situation of third

* The king *v.* the Inhabitants of Northfield.—Douglas, p. 634.

† See Parliamentary History, vol. 22, p. 370.

‡ Bishop Horsley in one of his charges to the clergy of the diocese of St. Asaph, gives the following account of the bringing in of this bill: "However, my reverend brethren, you may put your minds at ease, and the parties so unlawfully married may put their minds at ease, if it may give ease to your minds to know that all that is past, is pardoned and obliterated; and to theirs to know, that the knot so loosely tied at first is now drawn tight, and hard, and made indissoluble, and that the legitimacy of their offspring is secured.

"In the spring of 1804, I carried two bills through parliament. The one is a general act, the 77th chapter of the 44th of the king, intituled 'An Act to render valid certain marriages solemnized in certain churches and public chapels in which banns had not usually been published before, or at the time of passing an act made in the 26th year of the reign of his late majesty king George the Second, intituled 'An Act for the better preventing Clandestine Marriages.' The other specially relates to the chapel of Voelas. It is the 88th chapter of those acts of the same year of the king which are local and personal, but to be judicially noticed. It is intituled 'An Act for enabling the officiating minister for the time being of the Chapel of Voelas, in the county of Denbigh, to publish banns and solemnize marriages in the said chapel.'"

"By the former, the public act, all marriages solemnized in public chapels in which banns had not usually been published, without any other deviation from the provisions of the Marriage act, before the 25th day of March 1805, are made good and valid; and the clergymen who so solemnized them are indemnified against the penalties of the Marriage act; and, the registers of such marriages are made good and lawful evidence in all courts of law and equity. But it is farther enacted, 'that the registers of all such marriages as hereby are made to be valid in law, shall within fourteen days next after the said 25th of March 1805, be removed to the parish church of the parish in which such chapel shall be situate; or in the case of a chapel extra-parochially situate, then to the parish church next adjoining to such extra-parochial place.'"

"I hope the provisions of this statute

persons to the parties married, must be the same from whatever cause the nullity may have accrued. It has been said, however, that the law has been violated ignorantly in the one case, and knowingly in the other, and stress has been laid upon this as creating a distinction: to this I should say, that in the first place ignorance furnishes no legal excuse for the violation of any law; and, in the next, giving the argument the utmost latitude of which it is capable, it furnishes no solid ground for contending that, in a moral and religious point of view; in cases of the description to those which I have detailed to the House, parties ought not to be so much bound by their own act, where they have cohabited as man and wife for so many years after they have attained their majority, as they ought to be in cases where they may have unwittingly violated the law. Again, I should say, that, in many of the cases of nullity, for want of consent, the *dictum* of *communis error facit jus*, applies as literally as to the cases of nullity of marriage solemnized in churches and chapels, where banns had not been published anterior to the passing of the Marriage act. In very many cases which have fallen under my own cognizance, both parties have, at the time, and for many subsequent years, been completely ignorant of the invalidity of the marriage they have contracted. I could cite many cases of crying hardship on this head. One occurs to me at this moment. Upwards of twenty years since a marriage was solemnized between two minors, with the full consent and approbation, and in the presence, of the parents of both parties; four years ago the eldest daughter of that marriage was married, to the great satisfaction and delight, and, consequently, with the consent of her father. Children have been born from this marriage; but, subsequently to the solemnization of it, the father of the woman has discovered that he was a natural son, born before his parents were united in wedlock, an event which, up to this period of his life, had been studiously concealed from him. But mark the consequence; not only all his children, but all his daughter's children become, as it were, *ipso facto*,

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have been attended to; and, you will take special notice, that the benefit of this statute comes down only to the 25th of March, 1805. If, since that day any marriages have been or shall be solemnized in chapels in which banns had not been usually published before the passing of the act of the 26th of George the Second, all such marriages are still null and void, as they would have been if this act of mine never had been passed; the clergymen so solemnizing them are not indemnified; and, the registers are not evidence in any court of law and equity."—Bishop Horsley's Charges, p. 205.

More marriages of the same description occurred, and they gave rise to the 48 Geo. III. c. 27, which was to the same purport, and had the effect of legalizing all the void marriages of the same description, which had occurred subsequently to the passing of bishop Horsley's act.

The legislature has, in other instances, passed bills to give validity to *de facto* marriages, which were in themselves null and void, or concerning which a question might be raised. By the 47 Geo. III. c. 76, all marriages solemnized in the vestry-room of the parish of Wallsend, were legalized.

The 58 Geo. III. c. 84, after stating that doubts had arisen respecting the validity of marriages solemnized within the British territories of India, by ministers of the church of Scotland, declared, that all marriages of that description, heretofore had and solemnized, should be adjudged, esteemed, and taken to have been of the same effect, as if they had been solemnized by ministers of the church of England.

The 21st and 22nd Geo. III. c. 25, (Irish) was passed to give retrospective effect and validity to the marriages of many Protestant dissenters, which were supposed to be nullities in law. The preamble stated, "That whereas the removing doubts that may have arisen concerning the validity of matrimonial contracts or marriages entered into between Protestant Dissenters, and solemnized by Protestant Dissenting ministers, will tend to the peace and tranquillity of many Protestant Dissenters and their families;" and then proceeded to enact "that all matrimonial contracts and marriages heretofore entered into, or hereafter to be entered into, between Protestant Dissenters, and solemnized or celebrated by Protestant Dissenting ministers or teachers shall be, and shall be held and taken to be good and valid to all intents and purposes whatsoever."

bastards; no guardian, appointed by the Court of Chancery, gave consent to either the one or the other of these marriages. A nullity has been ingrafted on a nullity, and so it might have gone to an *infinitum*; for if the grand-daughter had married with her father's consent, before the flaw had been discovered, her issue would have been equally illegitimate. It is in vain in this instance to which I have alluded, it is in vain that all the family, in all its branches, concur in an anxious wish to give stability to two marriages, solemnly and *bona fide* contracted, deficient in no religious ceremonies, and consolidated by reciprocal affection, and the birth of numerous issue; it is in vain that the parties themselves to each of these marriages, endeared to each other by the strongest ties of mutual affection, and deeply impressed with the sacred nature of the bond by which they are united, anxiously and earnestly seek for a process of law by which their marriages can be declared valid. Unless the House passes this remedial clause their case is hopeless; the children and grand-children must be degraded from the station they have hitherto enjoyed in society, and only be considered in law as the offspring of a meretricious connexion.

Indeed all the marriages of illegitimate children, solemnized without the consent of a guardian appointed by chancery, prior to the decision of Liddiard and Horner, in 1799, are, in point of fact, in exactly the same situation with that which I have just described. They were all contracted in utter ignorance of the law, and have the strongest possible claims on the prompt and efficacious interference of the legislature.

I have still another precedent, and in my judgment it is even stronger in some respects than the one which I have already cited. In 1814, several actions were commenced in the court of king's bench against clergymen, under the 43rd of George III, c. 87, for non-residence. Two hundred actions were stated to have been brought by one individual, and one hundred by others, to recover penalties incurred for a violation of the statute. In that case there was ground for saying, that interests were vested in the prosecutors: the suits had been instituted not only by the authority of an act of parliament, but under circumstances of peculiar encouragement, for it had been distinctly stated during the discussions which took place while the act was in progress in 1803, that the great object was to hold out the strongest inducements to informers to come forward and make complaints against any act which might be done in contravention to the provisions of the statute. In spite of all these considerations, the legislature in 1814,* passed an act by which they put a stop to all the existing suits to which I have referred, and thereby deprived the prosecutors of the right, it was admitted they had in law, to recover the penalties imposed by the act. There could only be one of two grounds on which parliament acted on this occasion; either it must have considered, that the general interests of justice called upon them to overlook all partial considerations of the advantages which might have accrued to particular individuals under the existing law; or, that the statute had worked in a manner which never could have been calculated upon by the legislature when they enacted it. I confidently ask the House to compare the operation of this statute to which I have just referred, with the operation of the Marriage act, to apply the same tests to the one as to the other, to try it by the same criteria; and to say whether they are not as imperiously called upon to pass a remedial act in the one as they avowedly were in the other case.

I now proceed to the other branch of the bill, namely, that which relates to marriages by banns. In directing our inquiry to this part of the subject, we must be instantly struck by the anomaly and inconsistency of the law. The same act which fulminates such terrible denunciations against those who contravene its provisions, and inflicts such inexpiable penalties upon their unborn issue, with respect to the marriages by license, literally affords no protection whatsoever to a minor, who may be unwarily entrapped into the worst possible description of marriages, under a publication by banns. In the one instance the marriage never can be legalized, in the other it never can be called in question. With the view of preventing clandestine marriages, the statute enjoins, that banns shall be pub-

* The act was entituled, "an act to discontinue the proceedings on certain actions already commenced, and to prevent vexatious actions under the 43rd of the king."

lished in the church of the parish within which the parties reside; but, by a subsequent clause it forbids any inquiry to be made as to the residence of the parties after a marriage has actually taken place. The consequence has been, that the enactment on this head has become as it were *felo de se*, and banns have of late years furnished the most effectual cover for evasion, deceit, and fraud, that the ingenuity of man could have devised.

Banns* in their original sense mean a proclamation; the object of them is to give notice of a transaction which is about to take place, and thereby to afford to all persons interested in opposing a marriage an opportunity of so doing; and, undoubtedly in the earlier stages of society, and before the population of the country had been condensed into great towns, resort could not be had to a more admirable mode of publication, independently even of the consideration, that in such a state of population the minister might be supposed to have such a personal knowledge† of the individuals of whom his flock might be composed, as would give him a general superintendence and control over their conduct. But under the existing state of society in this, and the other thickly-inhabited towns of this populous kingdom, a proclamation by banns has long ceased to operate as a notice; the names repeated by the clergyman are so numerous, that no one attends to the recital of them, and no one, by such a publication as that which takes place, is apprized of an approaching marriage. Even if the fact were otherwise, as the law now stands, every facility is given, and every encouragement is offered, to evade the publication in the only place where there could be a chance of the parties being recognised by their kindred or their friends, namely, in the church or chapel of the district within which they are resident, for no inquiry can be made into residence after a marriage has actually taken place. Hence it follows, that minors who desire to contract clandestine marriages, do not now, as formerly, withdraw themselves to those parts of the United Kingdom, which are placed beyond the pale of the English law, or pass over to the continent for the accomplishment of their object — but they cause their banns to be put up in some church in London, or the suburbs of London, or in some church of one of the populous provincial towns of England, within a parish where they were never resident*, and where it would be next to a miracle that their names should be recognised; and after such a publication, the marriage is solemnized by a clergyman, who, from the very nature of the transaction, is effectually precluded from discovering, or even making inquiry into, the imposition which has been practised upon him. Such a marriage is irrevocable, however ignorant that† parents or

* They were an institution of the council of Lateran; the publication of them is thus enjoined by the council of Trent: "Idcirco sacri Lateranensis Concilii Sub Innocentio III. celebrati, vestigiis inhærendo præcipit, ut in posterum, antequam matrimonium contrahatur, ter à proprio contrahentium parocho tribus continuis diebus festivis in ecclesiâ inter missarum solemnia publicè denuntietur, inter quos matrimonium sit contrahendum."—Con. et Dec. Con. Trid. Sess. 26. c. 1.

† One of our most approved canonists thus records an antient constitution of the church on this subject, and the reason of its enactment: — "In matrimonio quoque contrahendo semper tribus diebus Dominicis, vel festivis à se distantibus, quasi tribus edictis, perquirant Sacerdotes à populo *de immunitate sponsi et sponsæ.*" —Lynw. p. 271.

* Since the second reading of this bill, I have been informed by a clergyman resident in the county of Kent, that in the month of February last, eleven persons, all belonging to his parish, and all but one under age, had their banns published at the same time, in the church of another parish in the same county in which they had never resided, for the purpose of being clandestinely married. I mention it as one among a thousand instances of this sort which have been transmitted to me upon authority on which I can rely.

† Unless fraud can be shewn in the use of the names under which the banns are published, as, for instance, in the case of Pouget v. Tomkins, (Ecclesiast. Rep. vol. i. p. 499,) where a lad of 16 was married to his mother's maid, under a publication of banns made in the church of St. Andrew's, Holborn, in which parish neither of the parties were resident, and there was no chance of their names being recognized. This marriage was set aside, because the banns were published under

guardians may have been of the whole transaction — whereas, if it had been a marriage by license, it would have been illegal, and never could have been rendered valid.

Heart-rending cases of frauds practised under the sanction of this branch of the law — of daughters inveigled and debauched from the care and protection of their parents, and clandestinely allied to men of vicious and infamous habits—of sons united for life to menial servants, or women of the lowest and most profligate cast, without the possibility of redress, or the hope of remedy, are of daily and familiar occurrence. To remedy these grievances, and to render the law equal and uniform in its effect and operation, I propose to place the marriages of minors by banns precisely on the same footing as those by license will be placed by this act; and in all cases of marriages, had without the knowledge and consent of the natural guardians and protectors, I intend to give the same persons who have a power to institute proceedings in one instance, a power also to institute them in the other. I am utterly at a loss to discover on what principle minors, who marry by license, are to be under the protection of the law, while those who marry by banns are to have no protection at all. If minors of both sexes ought not, without the consent of parents, to have a capacity of contracting the matrimonial contract in one instance, assuredly they ought not to have it in the other.

This is the extent of the alteration I propose with respect to the marriages of minors by banns. I have only now to state some regulations which will be found in the bill, applicable generally to all marriages by banns. From the statement I have already laid before the House, it will be obvious that great evils and inconveniences arise from the present mode of the publication of banns. The parochial clergy feel deeply and sensibly these evils and inconveniences, and anxiously look to this House for some regulations which may at least alleviate them. Occupied as I have been for some years in the amendment of the Marriage act, I have naturally received various and extensive communications from this most intelligent and most useful body of men, as to the practical defects of the existing law, and I can assure the House that there is no subject on which the parochial clergy are so anxious for reformation and amendment, as on this; however they may differ as to other points, they all entirely concur in stating the frauds which are daily practised against them in the publication of banns, and how utterly impossible it is for them, by the exertions of unremitting labour and diligence, adequately to discharge their functions in this particular;—how unavailing their efforts are to interpose any effectual check to these frauds, to the furtherance and success of which they are unhappily rendered mainly and essentially instrumental.* The real fact

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the names of William Pouget only, whereas the lad's real names were William Peter Pouget; and it was proved that Peter was the name by which he was familiarly known to his relations and friends. The court considered this omission as fraudulent, and annulled the marriage. But in another case, where a boy under 18, who had just left Eton, and was resident at his father's seat in Buckinghamshire, was married to an obscure person, resident in a neighbouring parish, after a publication of banns in a church in the borough of Southwark, in which it was almost impossible that either of them should be recognized; the court held, that it had no authority to dissolve the marriage, though the clergyman, struck with the youthful appearance and demeanour of the lad, twice stopped, in the course of the ceremony, to question the parties as to their age and residence, which questions were specifically, but falsely, replied to by the mother of the woman about to be married: but, as in this instance, no fraud could be proved in the use of the names, the court held that the proclamation of the banns was not vitiated. It is not intended to dispute the correctness of the conclusion of law, in either of these cases, but, assuredly, on principle there is no ground for the law to make such a distinction, in cases where the fraudulent nature of the transaction admits of no doubt.

* I insert a letter I have just received from the incumbent of a very populous parish in the north of England, as affording an excellent specimen of the statements I have received on this subject from very many quarters:

"You have directed your attention particularly to the facilities which are given to improper and clandestine mar-

is, that banns, from the circumstances I have detailed, operate no longer as any check whatsoever on irregular and clandestine marriages, and marriages of this description are effected with as much facility and as much impunity as they were by licences, at the time of passing of the Marriage act. At the same time I very forcibly feel the difficulty of applying any remedy to this evil, inasmuch as I should be extremely reluctant to interpose any unnecessary checks to the marriages of persons who are to be considered as *sui juris* in the eye of the law. I shall, therefore, content myself, on this head, with introducing some provisions into the bill, which will facilitate to the clergyman the means of inquiry, as to the names of those whose banns are given in for publication; and by the aid of which I shall hope to restore to the publication of banns something at least of their original character, that of notice to all parties interested, of the marriage which is about to be solemnized.

As the law now stands, no clergyman can be compelled to publish the banns of marriage unless the persons to be married shall, seven days before the first publication, respectively cause to be delivered to him a notice in writing of their true christain and surnames, and of the house or houses of their abode within the parish, and of the time during which they have dwelt in the parish.* I propose to make

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riages, by the present defective provision relating to the publication of banns. As a parochial clergyman, I have had the opportunity of witnessing some of the defective provisions, and I beg to add my testimony to that of many others of greater weight, which I dare say you have received, in complaint of the evils for which you are proposing a remedy.

"It is possible, however, that your attention may have been excited principally by the inconvenience of the present state of the law, as it effects marriages, in which one of the parties at least is in some of the higher conditions of life. I am desirous of bespeaking your notice in behalf of the lower classes, who take this freedom which the law leaves to them, but did not mean to give them, of marrying in a very disorderly way.

"You propose, I believe, to make it a compulsory duty on the side of the clergyman, to verify the names, residence, and condition of the parties. It is for want of some such imperative regulation that the disorderly practices, which I allude to, among the lower classes, prevail. Any marriages may now be effected without the knowledge of parents, friends, or public. The parties have only to send their names to certain populous parishes, where they have leave to get their banns published without scrutiny, and in the multitude of names published, and the obscurity of the persons in question, there is an easy concealment of any project of marriage. It is not necessary for the parties to assume fictitious names; the concealment passes as a matter of course under the looseness of the practice.

"It would be a sufficient objection to this lax practice, that the clergyman is made often to utter a solemn untruth in the face of the congregation, as to the residence of the parties, who get named without residence at all in the place where their banns are published; and that the intention of the law to give some notoriety to the intended marriage, by publication of banns, is utterly defeated. But in all this country nothing is more common. It is often a fancy or humour of the parties, that they will be married in the town, and not in the country, or in the place where they live. It costs them no trouble, no change of abode, to indulge their wish. Sometimes they come home married, and take their friends by surprise. In my own parish not a year passes without instances of these clandestine marriages. In all the neighbouring country parishes the case is the same.

"The evil of these frauds is not confined to indiscreet and undutiful marriages, contracted without the advice or privity of friends; it goes to worse things; you will easily see how unions of bigamy, and others highly improper and unlawful, are promoted. I know an instance of a person living near to me, married to the daughter of his deceased wife, a daughter by a former husband; and also the case of a person married to his niece—these marriages having taken place in churches, of other populous parishes, near the places where the parties lived. For such abuses it is sincerely to be wished you may be able to provide a remedy, by bringing the law of marriage to be more favourable to the peace and virtue of families.

* In the last three months of 1817, the banns of 284 couple were published in the parish church of Mary-le-bone, and of

this provision imperative, instead of optional, so that henceforth no officiating clergyman will be able to proceed to the publication of banns till he has received a notice of this description; and, in order to give more publicity to the transaction, I shall introduce a provision that banns shall not be published till the true christian and surnames, and the houses of the abode of the parties, shall be affixed to the principal door of the church, or to some conspicuous place within the church, and shall so remain affixed till the expiration of the three Sundays on which such banns shall have been published.

The only remaining regulations are, that if marriage shall not be solemnized within three months after the publication of banns, the publication must take place *de novo*: and so with respect to licenses—if a marriage shall not be obtained within three months after the grant of a license, a new license shall be required before the ceremony can be performed. I have now gone through the details of the bill. I trust I have not been misapprehended; my object is to remedy no fanciful or theoretical abuse; but certain and practical evils—evils of which the existence has, I trust, been proved to demonstration—evils entwining themselves, as it were, round the very roots of social order, and threatening by a silent, but progressive operation, to sap and undermine the very foundations of civil society. I would maintain and uphold inviolate the principle of the Marriage act, that minors should not contract marriage without the consent of their parents or guardians. I would give to this principle just, and equal, and uniform operation; but I would cut off from it those tremendous penalties which have been found by experience to press heavily on the innocent, and to secure impunity and even remuneration to the guilty. The time is singularly auspicious for the revision and re-consideration of this act.—We stand aloof from the party prejudices and violent animosities which ushered in the first alteration of the law, and accompanied it throughout every stage of its progress—we are placed at a sufficient distance from the period at which it passed, to be able justly to appreciate the character of the law, and calmly and impartially to examine and ascertain its practical effect and operation we see clearly that it has not worked in the manner contemplated by those with whom it originated. In fine, be it remembered that I call not on the House to trench on the venerable authority of lord Hardwicke; I call upon them rather to discharge the legacy he bequeathed to posterity—and surely we can in no manner more adequately discharge it than by making his measure more perfect and effectual, for the accomplishment of the great object he had in view—the amelioration of that law which regulates the most important contract, whether we look to the well-being of society, or the happiness of individuals, which man can form under the existence of any government. It only remains for me, Sir, to thank the House for the indulgence with which it has listened to me, and to move for leave to bring in a bill to amend the 26th of Geo. 2nd c. 33rd.

Leave was given to bring in the bill.

ORDNANCE ESTIMATES.] The House having resolved itself into a committee of supply, Mr. Ward moved, "That 248,744*l.* 11*s.* 2*d.* be granted for the Ordnance extraordinaries for 1822, after deducting 44,000*l.* for the presumed sale of old stores, lands, and buildings."

Mr. *Hume* said, that the accounts of repairs and current expenses in some of the colonies, were so complicated, that it was almost impossible to know how the various sums were applied; and therefore, instead of going into minute details, his objection should be to the large account. He had moved for certain returns, which would elucidate some parts; but they had not been produced. The only account he had was from Demerara, and he would take that as a specimen of the current accounts in the other colonies. In the estimates for that colony was a sum of 1,879*l.* for extra pay of engineers. But the House had already voted 22,000*l.* for the extra pay of engineers; and why, after voting such a sum, should we be called upon to vote this particular sum for extra pay to the engineers of Demerara? He found also sums for repairs, &c., according to estimates made by colonel Mann; but he did not see why colonel Mann, who was not on the spot, should make such estimates Under the head of Demerara and Berbice, those repairs amounted to 11,789*l.* Of this sum 10,000*l.* were towards raising

these 568 persons all, except two, were stated to reside in the parish, whereas the great majority of them were non-residents.

the sea-bank, or dam, at Demerara. Now, if this work was necessary, it ought to be raised at the expense of the colony. The colony had its legislative body, who voted the necessary taxes from year to year; and if this money was thought necessary by them, why had they not raised it, instead of leaving it to this country? Sums were annually remitted to London to trustees, to be invested for the benefit of the colony; and there was at this moment not less than from 60,000*l.* to 70,000*l.* in the funds for that purpose. He was aware that the money so remitted to this country was a security for the paper money in circulation there; but he did not see why the 10,000*l.* might not be advanced out of it towards the expense of the dam, if it was so necessary. Another reason why we ought not to defray this charge was, that it might be saved by an economical expenditure of the resources of the colony itself. He was aware that the colony was severely pressed down by taxes—that large sums were lost by the exorbitant salaries given to officers connected with it, some of whom had never visited the colony. It was owing to such a severe pressure on its industry and resources, that Demerara, as well as all our other colonies, was at this moment suffering under the greatest distress—distress so great, that, with the exception of the article of coffee, the planters did not receive for their produce the prime cost. The same, as far as concerned the large sums paid to its public officers, might be said of Berbice, and several other colonies in our possession. Berbice, it was known, was a colony ceded to us as a boon by the Dutch, in consideration of our having, most improvidently, given them up Java, the best colony out of Europe. Here he should remark upon the difference of pay given in some colonies. The governor of Surinam, a place of more importance than Demerara, had only a salary of 1,200*l.* while the governor of the latter place had an income of from 5,000*l.* to 7,000*l.* a-year. There was then a vendue-master, by whom all public sales were made, who had an income of from 6,000*l.* to 7,000*l.* a-year. There was also a colonial secretary and his deputy, and a secretary to the governor, with immense salaries. The office of colonial secretary had been given some years ago to a Mr. Sullivan, then a young lad at Eton school; and yet from 3,000*l.* to 4,000*l.* a-year was remitted to this country as his salary. He of course had a deputy, and between the two not less than 8,000*l.* a-year was derived from the colony for several years, in addition to which there was the governor's secretary, with an income of not less than 2,500*l.* He objected to such large salaries being paid from so small a colony. It was a most unjust principle, that we should be obliged to pay for what, by proper management, the colony itself could pay. He should therefore move that the sum for this colony should be reduced by the 10,000*l.* for the sea-bank. We were also called upon to pay a sum of 3,063*l.* in the Ordnance department of the Ionian islands. This he should object to; for, by the contract by which his majesty became protector of the Ionian islands, this country was not to be called upon to pay any thing on account of its military defence, unless our force there exceeded 3,000 men. On looking at the estimates, he saw sums for repairs at the powder-works at Feversham and Waltham-abbey. There was a sum of 1,951*l.* for repairs at the former place, though for the last four years it had been let out, and not an ounce of powder had been manufactured there on account of government. He ought to notice, that the civil establishment there had been reduced since last year. He was glad of it; but that reduction was not sufficient. It was not necessary that we should have any repairs to pay for. Waltham-abbey, he perceived, was kept up for the manufacturing of powder, and at an expense of 6,000*l.* Where was the necessity for this? For, according to the statement of the right hon. member, we had powder enough on hand to last the country for 25 years to come. It was said, that this was done to keep the men employed; but if the powder was not wanted, it was absurd to keep men in pay to make it. He admitted that such establishments were useful in the commencement of the war; but were there any circumstances now existing which would warrant their continuance? He would conclude by moving, as an amendment, a reduction of 13,000*l.* on the whole charge; viz., 10,000*l.* for Demerara, and 3,000*l.* for the Ionian Islands.

Mr. *Wilmot* said, that as the objection had been raised to the item for the expenses of the dam of Demerara, he felt it necessary to repeat the information which he had given to the hon. member upon a former occasion, and with which he was

sure the House would be quite satisfied. It was not denied that this work was a great public service. It was agreed that it was not only of use to the Ordnance department in the colony, but mainly so to the town; and it was therefore the opinion of government that it should bear a proportion of the expense. This had been communicated to the colony, and he was in daily expectation of receiving an answer. Under these circumstances, the grant was only to be considered as an item on account, which would be repaid by the colony. With regard to what the hon. member had said upon the subject of places in Demerara, he seemed to forget that a law had passed which prevented persons from holding places in that colony who were not upon the spot. Considering the incidental expenses to which the governor was liable, the allowance made to him was certainly not too much. With regard to the Ionian islands, he must be permitted to remark, that it was no fault of his that the expenditure incurred in them had not been fully examined. He denied the correctness of the construction which the hon. member had placed upon the treaty; and said, that though it might, perhaps, be justified by the words, it was by no means justified by the spirit of it. He contended that there was no distinct agreement by which the Ionian islands were bound to defray the expenses of the military establishment stationed among them.

After a short conversation, the amendment was withdrawn.

Mr. *Creevey* said, he should propose an amendment relative to the grant for the fortifications of Barbadoes. Strong as the case was that he had made out on this subject on former occasions, it was at present far stronger than it had ever been before; for the committee had now a distinct admission from a member of his majesty's government, that in cases where works were carried on that were necessary for the service of a colony, the colony was to be called upon to sustain a portion of their expense. Such at least was the doctrine proposed regarding the island of Demerara; and that brought him to consider the case of the island of Barbadoes. The public was now called upon to pay 4,000*l.* for the fortifications of that island — for works that it was stated were most useful and necessary to its well being. If such a sum were to be paid for such a purpose, he trusted that a similar pledge would be demanded from the island of Barbadoes as had been extorted from the island of Demerara. If government would give him a pledge to compel the re-payment of this grant, he would withdraw his amendment. He knew there was a difference in the two cases; but the difference was all in his favour. In Barbadoes there was a specific act, providing a fund for the repair of its fortifications. That fund, however, was now kept, not for the repair of fortifications, but for the pensioners of England. Since the last discussion, a return had been made of the surplus of this fund over the expenses of the fortifications; and that return consisted of the simple word *nil.* In short, there was no surplus to meet the 4,000*l.* that it was necessary to lay out on the works of the island. "In this House," continued Mr. Creevey, "degraded as it is [loud cries of "order"] —degraded I must call it, though I die for it, while it refuses to receive—" [Mr. Brogden called the hon. member to order.] He would sit down with moving, that the grant be diminished by the sum of 4,670*l.* 14*s.* 6*d.*

Mr. *Wilmot* maintained, that there was a wide difference between the cases of Demerara and Barbadoes. The repairs in the latter case were of a military nature; but in the former they were made for the purpose of conferring advantage upon the chief town of the colony. Alluding to what had fallen from the hon. member, regarding the insular situation of Demerara, he must take the liberty of correcting the geography of the hon. member. On looking to his map, he would find that the insular situation of Demerara was to be found nowhere except in his fertile imagination. The hon. secretary then proceeded to contend that the 4½ per cent. duties were not applicable to the purposes which Mr. Creevey had mentioned. Those duties had been given to the Crown, in exchange for certain concessions which it had made to the colony. In proof of this assertion, he referred to the colonial act of 1663, and to certain other papers of which he read extracts to the House. Upon a reference to the whole of these acts, he could see nothing whatever to establish the proposition, that the 4½ per cent duties were given to the king, for the purpose of being applied exclusively to the colonial purposes of the islands. He must argue this question upon the analogy furnished

by the Acts of Montserrat, Nevis, and the Virgin islands.

Mr. *Creevey* said, that nothing was so extraordinary as to hear the conditions of one act of parliament, which were in their nature and terms imperative, attempted to be construed by the analogy of other acts, which had no application whatever to Barbadoes. What signified to him what had been the 50 years' practice of swindling and stealing in defiance of the Barbadoes act? [Murmurs from the ministerial benches]. He liked those murmurs, and wished that the people could hear them.

Mr. *Bright* would not enter into the controversy, whether or not the Crown had perverted the 4½ per cent duties. It was a very fit subject for inquiry at another moment; but he thought the country was bound to maintain the fortifications at Barbadoes, and he must therefore support the present grant.

Mr. *Bernal* said, the object of his hon. friend was, not to refuse the sums necessary to support the island of Barbadoes, but to see that those sums were taken from a proper source. He contended that the 4½ per cent fund ought to be applied to the expenses of the island. With reference to the act of Charles 2nd, it was one of atrocious and tyrannical extortion; and one of the articles of lord Clarendon's impeachment was founded upon that lord's defence of the king's conduct towards the island.

Mr. *Marryat* contended that it would be very hard on the colony of Barbadoes, because we had taken from them the fund which belonged to them, to call upon them to provide a fresh fund for the purposes of the colony. If a motion were brought forward on the subject of the misapplication of the 4½ per cent fund, it should have his support; but there was not a shadow of justice in refusing to the colony the supplies necessary for its defence.

Mr. *P. Moore* contended, that his hon. friend had made good his position, that the funds arising from this 4½ per cent duty had been dissipated by official profligacy, and that now, when the fortifications of Barbadoes were out of repair, the people of England were called upon to advance the expenses.

Mr. *Williams* agreed, that the fortifications ought to be kept in repair by the king out of the 4½ per cent duties, and not by money drawn out of the pockets of the people of this country.

The committee divided: For the amendment 39. Against it 81. The original resolution was then agreed to.

List of the Minority.

Allen, J. A.	Moore, P.
Belgrave, lord	Maberly, J.
Bennet, hon. G.	Martin, John
Blake, sir F.	Pym, F.
Boughey, sir J.	Palmer, C. F.
Bernal, R.	Rumbold, S.
Burdett, sir F.	Ricardo, D.
Barrett, S. M.	Robinson, sir G.
Dickinson, W.	Rickford, W.
Davies, col.	Ridley, sir M. W.
Fergusson, sir R. C.	Rice, S.
Griffith, J. W.	Smith, W.
Gurney, R. H.	Scott, J.
Haldimand, W.	Whitbread, W.
Hume, J.	Whitbread, S. C.
Hobhouse, J. C.	Wilson, sir R.
James, W.	Williams, W.
Jervoise, G. P.	Wood, alderman
Lushington, Dr.	TELLER.
Leycester, R.	Creevy, T.

The rest of the resolutions were agreed to and the House resumed.

HOUSE OF LORDS.

Thursday, March 28.

BOARD OF ADMIRALTY BILL.] Lord *Melville* presented a bill for reducing the quorum of lords of the admiralty from three to two. His lordship stated that this bill had become necessary, in consequence of the new commission nominating five lords of the admiralty, instead of seven, in compliance with the vote of the House of Commons: the act in existence rendering it imperative for three or more to do any act. Had he been a member of the other House, he should certainly have opposed the reduction of the lords of the Admiralty to five, that number being insufficient for the due discharge of the business of the board, without the greatest inconvenience. Had the number been reduced to six, it would, he admitted, have been sufficient in time of peace; but certainly in a period of war it would be found absolutely necessary to have seven. As it was, the present limited number would be productive of great inconvenience. It was, at all events, essential to pass the present bill, making the quorum two instead of three, on account of the business which it would be necessary to transact at the outports by at least two of the lords, which left only three for the business in London, one of whom might frequently be unable to attend. He should not now go into the

details for the purpose of shewing the great public inconvenience that would arise from reducing the number to five, but he was certain it would be found, that so far from being a measure of economy, it would produce a considerably increased expence.—His lordship presented the bill, which was read a first time.

HOUSE OF COMMONS.

Thursday, March 28.

Ilchester Gaol—Petition from Bethnal Green.] Sir *R. Wilson* presented a petition from the inhabitants of Bethnal-green, praying for a remission of the sentence on Mr. Hunt. The petition had been signed by a thousand inhabitants in the course of a few hours. It complained of the aggravated treatment which Mr. Hunt had received in violation of the directions of the judge, and it stated the great service which Mr. Hunt had conferred on the country by detecting the abuses which existed in the gaol of Ilchester. It commented severely on the conduct of a certain clerical magistrate; and certainly, if the charges brought against that magistrate were well founded, he appeared to be a most rigid disciplinarian, and one who attended but little to the precepts of the religion which he professed to teach. There was one paragraph in the petition, which would probably call forth some observation. In that paragraph a distinction was taken between two classes of members in that House, which, he believed, was sufficiently well ascertained and understood in the country. It was well known that House was composed of two descriptions of members; one class nominated by their constituents, and who represented the people; the other sent there to represent individuals and particular private interests,—one class who were free agents; the other, who were the organs of the will of others—one class, who really attended to the debates in that House, and whose minds were capable of being influenced by reason and argument; the other class, whose previous engagements rendered it unnecessary for them to apply their minds to the subject under discussion. The following was the paragraph of the petition to which he alluded:—"Your petitioners disclaim any the least intention to insult your honourable House, by any remarks they may make upon its character, which they wish to see pure and unblemished in public opinion; but they cannot help observing, that when it has been stated in the public prints, that the purchase of seats in your honourable House, which should only be obtained through the free and unbiassed voice of the people, 'is as notorious as the sun at noon-day;' when they see it stated by these prints, that a cabinet minister openly avowed the necessity of having useless places to confer upon members of your honourable House, in order that government might have sufficient influence to carry any ministerial question in your honourable House, which was originally designed to be a check upon the government; when your petitioners see it stated in "the New Times" paper of the 11th of February last, that a Mr. Spooner asserted at a public meeting at Worcester, that 'he had been in parliament but a very short time, still an opportunity had been afforded him of seeing how the majorities of ministers were constituted. That boys were sent into parliament, who came solely to vote according to the dictation of ministers, and never heard a single iota of the merits of the question on which they were to decide. That he had seen the most important question agitated in the presence of sixty or eighty members, till the period of division approached—when swarms were suddenly collected from coffee-houses, theatres, or balls, who only looked on which side stood the marquis of Londonderry, and on which side Mr. Tierney, in order to determine their votes.' When your petitioners see such statements made repeatedly in the public papers, without meeting the least contradiction, and the publishers remain unpunished, while Mr. Hunt is languishing and suffering in a pestilential gaol, for publicly expressing his opinion that such abuses ought to be removed; they cannot help thinking that shallow must be the mind, or blind the interest of that man, who does not see the necessity of an immediate remedy for the abuses which have crept into the institutions of the country, in order to preserve them from destruction."—He could not say whether this paragraph would, or would not, be considered to be properly worded; but, leaving the House to decide that point, he would move, that the petition be now brought up. [Cries of "No, no."]

Mr. *Dickinson* expressed his disapprobation of the terms in which the petition was conceived. They were highly disrespectful, and it was not true that "boys"

were brought into parliament as members.

On the question that the petition be brought up, the House divided: Ayes 17 Noes 67.

List of the Minority.

Bernal, R.	Price, R.
Calvert, N.	Rice, S.
Duncannon, lord	Ricardo, D.
Hobhouse, J. C.	Ridley, sir M.
Hume, Joseph	Sykes, D.
Kennedy, T. F.	Tennyson, C.
Lennard, T. B.	Wood, alderman
Newport, sir J.	TELLERS.
Normanby, lord	Bennet, hon. G.
Palmer, C. F.	Wilson, sir R.

REFORM OF PARLIAMENT—PETITION FROM MONMOUTH.] Mr. *Hume* said he had a petition to present for a reform of parliament, from the Mayor, and Commonalty of Monmouth; but after the extraordinary course which the House had pursued with respect to the last petition, he did not well know what to do with it. It was the right of the people to call for a reform of parliament, and he would say, that the circumstance which had just occurred shewed the necessity of that reform. To reject a petition without hearing it read, was contrary to the just rights and privileges of the people. Reform might be put off by temporary expedients, but it could not be defeated; the principle was working and would ultimately triumph. He could not but consider it a marked insult on the people, to dismiss their petition even without hearing it read.

The *Speaker* said, that the House could not suffer persons outside the walls of parliament to cast improper reflections upon it. Inside these walls he was sure that hon. gentlemen would speak of its proceedings with decency.

Mr. *Hume* said, he had always understood, that it was the right of the people to petition parliament; but he never heard before that it was the right of parliament to reject their petitions. They were bound to hear them read; and then, if any thing appeared to be inadmissible, they might reject them. He had not heard a single improper word in that part of the petition from Bethnall-green which had been read by the gallant officer. It contained truths, though they might be unpalatable ones. In the petition which he now held in his hand, the petitioners humbly set forth that they considered a reform of parliament absolutely necessary for the salvation of the country; and they prayed that it might be speedily effected.

Lord G. *Somerset* said, that the petition was by no means signed by the most respectable inhabitants of the town of Monmouth: he could not look upon it as a petition coming from the commonalty of that town; he did not see, that it contained any objectionable passages, however he might differ from the sentiments it contained.

Mr. *W. Courtenay* seconded the bringing up of this petition, for the sake of pointing out the great difference between it and that which the House had just rejected. It was said that the House had rejected a petition without hearing its language; but he would appeal to the gallant officer, whether, in the passage which he had read, it was not his meaning to call the attention of the House to the language? He did conceive, that those who contended for the unlimited admission of petitions, whatever the language might be in which they were couched, were, in truth, the most formidable enemies of the sacred right of petition. He valued the right of petition as much as the hon. member for Aberdeen could do; but he thought that hon. gentleman was quite wrong in saying that the House had no right to reject petitions, numerous instances having occurred within his own memory, in which such a right had been exercised.

Mr. *G. Bennet* could not go the length of saying, that there was no petition, whatever its language might be, but what the House was bound to receive. The question then was, whether the petition presented by his gallant friend had come before them with a fair case made out, and a statement of grievances, for the purpose of obtaining redress; or whether it was conceived in language that was insulting to the House? This was the only test by which to try any petition; and the result of its application in this instance was, that the petitioners had a fair case, and had properly stated their grievances. They began by disclaiming all intention of insult, and they alluded to a declaration (that the sale of seats was as notorious as the sun at noon-day) which most undoubtedly had been made in that House by no less a person than the late Mr. Ponsonby. If any one could doubt the fact for a moment, he would take upon himself to prove it at the bar of the House in less than ten minutes. Besides, the petitioners did not state a case, as if it was put on their own authority; but they stated it,

as they had seen it in the public newspapers; and added, that they conceived it to be a libel on parliament. The gentleman alluded to (Mr. Spooner), while he was in the House, seldom favoured opposition with a single vote; but was generally to be found in the crowded ranks on the other side. His declaration, therefore, was rather a curious one. No doubt he could tell the House a few secrets connected with its own history; and so could an hon. gentleman opposite, (Mr. Wynn), who was secretary to the Treasury under the administration of lord Grenville. He himself (Mr. Bennet) did happen to know a little about the constitution of that House in 1806, which, if he were to repeat, would be found not less curious than the declaration of Mr. Spooner. He thought it was most impolitic to reject petitions connected with the subject of reform, unless under very peculiar circumstances; for the House ought always to remember the declaration of the great lord Chatham—that if it was not speedily reformed from within, it would be reformed with a vengeance from without.

Sir *J. Newport* said, it very often happened that hon. gentlemen presented to that House, petitions, containing sentiments in which they themselves did not concur. Now, if the principle that had been that evening laid down was to be acted upon, the consequence would be, that any member so circumstanced would have nothing to do but to select some strong passage from the petition, and describe it in his speech as being objectionable, to ensure the rejection of the petition. He, therefore, did mean to contend, that the House ought never to exercise this strong power of rejection, until after it should have heard the petition read. It was on these grounds that he had supported the reading of the petition lately rejected.

Mr. *Dickinson* re-stated his objections to the petition which had been rejected. It was affirmed in the body of it, that "boys" were brought into parliament to vote. Now, this was not fact. By the term "boys," an indifferent person would naturally suppose, that striplings under age were intended. Every hon. gentleman well knew that the youngest members of that House were between 21 and 25; and that of these, there were very few. He believed there was but one instance, in which an individual had been admitted to sit in that House, being under the age prescribed by law. He alluded to the case of Mr. Fox; and it was remarkable, that even Mr. Fox, though he had spoken before he attained this legal age, never once voted till after he had completed it.

Sir *M. W. Ridley* said, he was the last man to support any petition that might seem to convey any thing like an insult upon the House. In the case before them, however, the petitioners made no direct allegation. They merely affirmed, that such a report had gone abroad. In his opinion, the House would neglect its duty, if it persevered in rejecting petitions without hearing them read.

Mr. *Hume* begged to correct the misstatement of a noble lord who had said that this petition was not signed by the majority of the commonalty of Monmouth. Though the names of the noble lord's friends and supporters might not appear at the foot of it, it certainly was subscribed by the majority.

Lord *G. Somerset* contended that his information was as good as that of the hon. gentleman, and if it were correct the majority of the burgesses had not signed the petition.

Ordered to lie on the table.

MIDDLESEX COUNTY COURT.] Mr. *Lennard* said, he had to call the attention of the House to a subject of considerable importance to the working classes of the county of Middlesex. By the 23rd Geo. 2nd the county court of Middlesex was constituted in its present form. The object of the court was, to facilitate the recovery of small debts not exceeding 40*s*. The county clerk was the judge, and it was necessary he should be a barrister of ten years standing. Accounts had been presented to the House of the number of causes and fees paid. In the hundred of Ossulston, which comprehended the metropolis alone, nearly 17,000 causes were tried on an average of years, and in the last year nearly 18,000. The court sat one day a week in the hundred of Ossulston; one day a week in the Hundred of Enfield; and one day a week in the Hundred of Isleworth. In point of fact, however, the court sat twice a week in London; but even this increased number of sittings he was prepared to shew was insufficient. As 18,000 causes were tried in a year, 180 causes would be to be tried every day of the sitting of the court; but frequently 210 to 220 causes were tried in a day. Among these, some questions of intricacy arose, and the examination of

witnesses was required. The process of the court was this. The plaintiff suing for a debt took out a summons, which he served, and attended with the defendant on the next court day, at nine o'clock. From the quantity of the business before the court, he had often to wait till nine in the evening. The object of the constitutional government of England being the easy, expeditious and cheap administration of justice, he was assured that if a committee were appointed he could prove that the county courts of Middlesex should be more frequently held, and that every practicable reduction should be made in the trouble as well as in the expences attendant upon suitors in those courts. He was willing to bear testimony to the merits of the present clerk of the county; but when it was recollected that he had usually between 16 and 17,000 causes to try in these courts within the year, upon each of which he received a 3 shilling fee, and that consequently his salary was nearly equal to 2,000*l.* a year, it could not be deemed unreasonable to call upon this officer for the devotion of more of his time to the discharge of the duties of the court. Upon executions from this court the sum of 3*s.* 4*d.* was granted, and if the execution were not levied, this sum remained in the hands of the clerk of the court. He also understood that certain sums were paid for the postponement of causes in this court, while plaintiffs, from frequent delays, had often to go to the court five times before their causes were decided; so that supposing a plaintiff resided at Turnham-green, he might have 80 miles to travel back and forward to the court at Red Lion-street, before he obtained payment of a debt of 10*s.* But what, he wished to know, became of all these sums? In the aggregate, he understood they generally amounted to about 10,000*l.*; and was it right that such a sum should be vested in the hands of the clerk of the county, in addition to the several sums paid by instalments upon debts which were never ultimately discharged. For this sum, or for the amount of the unclaimed dividends upon it, the late clerk of the court, who held that office no less than twenty-five years, was never called upon to account. Another fault belonging to this county court was, that only one day in the week (Friday) was appointed for the payment of the claims of plaintiffs, and such plaintiffs as could not attend between ten and two o'clock on that day, were obliged to call again. This he considered as a very serious evil; and were a committee appointed he had no doubt he should be able to shew that this court should be opened every day for the purpose which he had stated. The hon. member concluded with moving for the reference of the papers laid before the House with respect to the administration of justice in the county court of Middlesex, to a committee of that House, with a view to inquire whether the amount of fees paid, may not be diminished, and whether it may not be expedient, for the county clerk to sit oftener in each week in the Hundred of Ossulston and to increase the number of sittings in the other Hundreds where the court now sits."

Mr. *Bernal* said, there was no proof or allegation before the House, that there had been any delay or denial of justice in the court alluded to. There had been no complaint preferred by any suitor that justice had been mal-administered, and in the absence of any such complaint why should a motion be adopted that would impeach the character of the present county clerk, whose character was highly respectable? This county clerk (Mr. Heath) had, it was said, a salary of from 1500*l.* to 2000*l.* a year; but then it should be known, that he had lately purchased from his own funds the scite of premises for the accommodation of the court in Kingsgate-street, Holborn, for no less than 2000*l.* The county clerk had also abandoned his practice in the court of King's-bench, as well as upon the home circuit, in order to devote his time to the business of his own court. As the motion of his hon. friend was not founded upon any allegation of necessity from the parties more immediately interested, or from any distinct complaint, or from any petition from the homage jury of the county; he could by no means support it.

Mr. *Bennet* said, it was impossible, from the very showing of the officer himself, that substantial justice could be done to the suitors in this court. It appeared that the court sat two days in the week, to try causes which averaged 17,000 in the course of the year, and which, including summonses, amounted to about 200 cases for each day of sitting. The commissioner might be a very intelligent person, and extremely anxious to do his duty, but the return plainly proved that the business of the court could not be performed in that

speedy manner which the legislature contemplated. He should like to hear the history of this situation. He should be glad to learn, whether it was a situation that might be bought and sold—whether its present possessor had not, in fact, purchased it? It surely ought not to be bought and sold. The sheriffs ought not to be allowed to put thousands in their pockets by such means. This, was a most objectionable system, for in proportion to the magnitude of the sum given for the office, the amount of fees was likely to be regulated. The best way of bringing the business under the consideration of parliament, would be, by introducing a bill for the regulation of the court. There was, it appeared, something like a jury connected with the court; but never was the term, jury, more completely misapplied. There was, in fact, not half a jury. Three or four persons were placed in a corner, who had more the appearance of convicts than of jurymen —who were more like men about to receive punishment, than individuals called on to decide causes.

The *Solicitor-General* considered this motion as irregular. No petition had been presented, imputing any misconduct to the judge, impugning the conduct of the subordinate officer, or stating that there had been any denial of justice in this court. The hon. gentleman had not, therefore, made out any parliamentary ground for inquiry. The hon. member for Shrewsbury had stated, that the jurymen were selected from a class of persons who were not fit to sit on juries. He was inclined to think that the hon. member had been misinformed; for, by the act of parliament, the juries in this court were selected from the same class of persons as decided on cases in Westminster-hall. By the same act it was provided, if any misconduct appeared in the proceedings of this court, that two of his majesty's chief justices should have the liberty of investigating the matter complained of, and of remedying the evil where the complaint appeared to be well founded. The constitution of this court had been selected by Mr. Justice Blackstone, as the subject of particular praise. The largeness of the fees demanded was complained of. Now, one of the reasons which induced Mr. Justice Blackstone to praise the constitution of the court, was the moderate rate of the fees? If greater fees were demanded than the act authorized, why had not application been made to the two chief justices? With respect to the commissioner not sitting a greater number of days than he now did, it was the duty of that officer to sit as many days as the business of the court required, and he found that two days were amply sufficient for the purpose. It was a well-known fact, that the individual in question had never retired from court while a single cause remained unheard. The hon. member said, that suitors were obliged to remain in the court, from 9 o'clock until the evening. Here again he was mistaken. The causes were divided into two classes, and two different portions of the day were allotted for their decision. The hon. member had also stated, that 180 causes were on an average decided on each sitting day. The average was really, according to the return, about 160; and more than one-half of that number were, in general, undefended; so that 80 substantial causes were left for decision. Even of these a considerable portion occupied very little time, the plea of the defendant being poverty, and his request that time should be allowed for payment. The number of causes left for decision, when these deductions were made, amounted at the outside, to not more than 30 or 40. As to the amount of the profits derived from this situation, it appeared that the commissioner received 2*s.* 6*d.* on each cause, or about 2,000*l.* a-year. The question then was, what expenses he had to sustain? He had, in the first place, to pay rent for the court-house, and it appeared that he had actually given 2,000*l.* for certain leasehold premises with a view to it. To support the officers of the court, he paid 300*l.* or 400*l.* a-year. The salary, therefore, which he received for a laborious and painful duty, was not more than 1,500*l.* a-year. By the act, two days in the week were required for hearing cases. But for the convenience of the public, though the act did not require it, the other four days were employed in payments into court, and out of court. It was impossible that the party to whom payment was awarded should take measures to recover it. Payments were, therefore, made into court for two days, and two other days were allowed for paying out the money. Two or three persons were thus occupied in paying out 30,000*l.* a-year, in shillings and half-crowns. He was unwilling to accede to this motion,

because he thought the management of the court deserved imitation, and because the gentleman who presided, had acted with the greatest skill, care, and integrity.

Mr. *Lennard* said, that nothing was further from his intention than to cast any imputation upon the gentleman who now held the office in question. But if the House granted him a committee, he pledged himself to prove the charges which he had made against the office generally.

The motion was then put, and negatived.

Army Estimates.] The report of the Army Estimates were brought up. On the motion for agreeing to the resolution, "That 13,662*l.* be granted for the Royal Military College,"

Mr. *Hume* objected to a grant to that amount. The mere salaries of officers at this College exceeded 6,000*l.* a year. This was for the superintendence of 290 students. He could not see what necessity there was for a governor at 1,500*l.* a-year, a lieutenant-governor at 1,095*l.*, a major at 351*l.*, four captains 1,095*l.*, and various other expensive appointments. He moved to reduce the vote 3,422*l.*, which would leave it at 10,240*l.*

Mr. *F. Palmer* treated the College as an excrescence, which, if it would not yield to mild applications, must be attacked in the way of radical cure. It was impossible for the country, distressed as it was, to support the charge of such an establishment.

Sir *H. Hardinge* observed, that the hon. member had made a most erroneous statement with respect to the cadets educated at the Military College. He had stated the whole number in the college, since the peace, to be 1,764. Now, in this the hon. member made a mistake of not less than from 1,200 to 1,300. The hon. member's peculiar and felicitous mode of calculation was this—he took the number of cadets in the college, for each year of the five or six years, and he added them up, giving the sum total as the number of cadets in the college for that time. Nothing could be more erroneous, and the hon. member should have known, before he made this statement, that more than one year was necessary for completing the education of a cadet; that it took four years, and therefore, in adding together the numbers in every year, the hon. member was counting the same cadets over and over again. [Hear.] Instead of the 1,764 cadets, in the time alluded to, the whole number did not much exceed 450. Thus, the hon. member proceeded in the same way, as if he were to calculate the number of members in the House of Commons, upon the novel and ingenious principle, that because there are now 658 members, at the end of five years there must be 3,290. Now such statements, whatever little impression they might make in that House, where the error could be detected, were yet not harmless, as they went forth to the public, and created an improper feeling as to the manner in which the army was regulated. Another statement of the hon. member was this—that cadets, the orphans of deceased officers, were frequently set aside, to make room for others who had more interest. Now he could assert positively, that this statement was unfounded in fact; and he would again say that such assertions were calculated to do harm, as it conveyed an impression of undue preference at the office of the commander-in-chief. He could state to the House, that it was impossible a cadet should be set aside when he had passed his examination. He (sir H. Hardinge) was present at one of those examinations, and one cadet passed a very excellent examination. A young nobleman (lord Falkland) was third or fourth on that occasion. Now, so little was interest consulted, that the cadet who had answered so remarkably well was taken, and put at the head of the list that he might have his commission as soon as possible. This young gentleman was the son of a captain Adams, of the veteran battalion, who was not known to the commander-in-chief, and who had no interest whatever. He stated this circumstance to show the impartiality which was observed at the college.

Mr. *Hume* said, he would restate his facts, and maintain their correctness, viz. that in the five years, 1816 to 1820 inclusive, there had been each year from 412 to 290 cadets educated at the public expense—at an expense of 115,280*l.*; and in the same time only 160 of these cadets had received commissions, and been admitted into the army, making the expense 720*l.* for the education of every one of those 160 cadets. As there have been 44 cadets admitted from the college into the army in 1821, the expense of the col-

lege in that year was 18,730*l.*, making the expense of each of those 44, a sum of 425*l.* to the country. Again he asked, ought the country in its present distressed state, to be put to this expense, for the education of 290 youths, when commissions could be given only to a part? The reduction which he proposed would leave sufficient to defray the expense of military officers, to keep order in the establishment.

The committee divided: For the amendment 15. Against it 35.

List of the Minority.

Barrett, S. M.	Newport, sir J.
Blake, sir F.	Price, Robt.
Crespigny, sir W.	Rice, S.
Davies, col.	Smith, W.
Hobhouse, J. C.	Western, C.
Lennard, T. B.	Whitbread, S.
Lushington, Dr.	TELLERS.
Martin, J.	Hume, J.
Maxwell, J.	Palmer, C. F.

The several resolutions were agreed to by the House.

HOUSE OF LORDS.

Friday, March 29.

Board of Admiralty Bill.] On the order of the day for the second reading of this bill,

The Earl of *Darnley* wished to ask the noble viscount opposite, whether he had been rightly reported, when he was represented to have said, that the diminution of two lords of the Admiralty would occasion encreased expense to the public; and if he had said so, on what ground that opinion was founded?

Lord *Melville* said, he had not only expressed that opinion, but could state facts which would convince the House of its being well founded. A few months ago, he had gone with other members of the board, to some of the principal dock-yards, and had made inquiries which led them to believe that a considerable saving might be effected. It was then determined, that two professional members of the board should go down and carry the arrangement necessary for that saving into effect. But now that, with the exception of himself, there remained only four lords of the Admiralty, it was impossible to send down two professional lords for the purpose which he had mentioned, as it was always necessary that there should be two in town. The proposed inquiry must, therefore, be postponed, as well as the saving which it was expected to produce, which amounted to 10,000*l.* Others less considerable might also have been effected, which must be suspended for the present. If any accident or illness happened to one of the lords of the Admiralty, reduced as their number now was, the public business must be much delayed, and in the Admiralty the delay of a few days never failed to create much additional expense. With respect to the nature of the members, of the board, it was a fact that from their professional habits, officers were less competent to the discharge of its general business than landsmen. To have a majority of professional men on the Board would, therefore, produce inconvenience to the public service. At the same time if two were not present, whose professional opinion might be obtained, much delay would inevitably occur.

The Earl of *Liverpool* agreed with his noble friend, that the abolition of two lords of the Admiralty was a measure by no means favourable to the public service or to economy. With regard to the constitution of the board, he had communicated with various professional men, and they all agreed, that in a board consisting of not more than five persons, the majority ought not to be seamen.

Lord *Holland* said, that as to the opinion, that the reduction was not advantageous to the public, such declarations from the noble earl must lose something of their weight, when it was recollected that he had formerly declared that the government of the country could not be carried on if such reductions were made. It was no wonder, therefore, that he regretted such a loss; but all his wailings, though assisted by the noble lord at the head of the Admiralty, would not bring back the two departed members to the board.

The Earl of *Harrowby* insisted, that his noble friend had never said he could not carry on the government if this or that office were reduced. All he had said was, that a great public inconvenience would result from the reduction. This, too, would be the opinion of the public, when they recovered from the delusion which at present prevailed on questions of this kind.

The bill was read a second time.

HOUSE OF COMMONS.

Friday, March 29.

Vagrant Laws Amendment Bill.]

Mr. *Chetwynd*, in proposing the second reading of this bill, observed, that the measure contained no provision that was not to be found in the existing laws. He had heard that some persons, particularly ladies, complained that by the bill the minstrels who perambulated the streets would be prevented from serenading them; but he would inform those persons, that, under the laws as they at present stood, wandering musicians were considered vagrants. It was his intention, on the present occasion, merely to propose that the bill be read a second time.

Colonel *Wood* seconded the motion. As the bill at present stood, the exhibition of shows was prohibited, and he knew that some persons feared that a very entertaining personage called Mr. Punch would no longer be allowed to amuse the public. He therefore felt great satisfaction in stating, that his hon. friend would have no objection to introduce a special clause in favour of Mr. Punch. The public were indebted to his hon. friend for the prospect which his bill held out of relieving the country from the heavy expense incurred by the passing of vagrants. The sum which had been expended for that purpose last year amounted to 100,000*l*.

Mr. *Hurst* observed, that although in the profession of the law, and acting as a magistrate for the last fifty years, he was at this moment unable to define the duties of a peace officer under the present vagrant laws. They were an ill digested mass, and called loudly for revision.

Sir *M. W. Ridley* said, that the laws relating to vagrants ought to be simplified, and brought under a more concise shape. The public were much indebted to the learned gentleman for the bill now before them.

Mr. *Lyttleton* supported the bill, as it tended to distinguish the vagrant laws from the poor laws, of which there had been some danger of their becoming a part.

Mr. *P. Moore* hoped that his friend Punch, as well as the persons who carried about wild beasts for show, would not be included in the list of vagrants by this law, as they were subjects of great and general amusement.

Alderman *Wood* supported the bill, as he thought its provision very salutary.

The bill was read a second time, and referred to a select committee.

SHERIFFS DEPUTE IN SCOTLAND.] Mr. *Home Drummond* presented a petition from the dean and faculty of advocates at Edinburgh. He said, that he considered that learned body had conferred a great honour on him in entrusting their petition to his hands, and hoped, from the weight that was due to their opinion, as well as the importance of the subject to which their petition related, that he might be allowed to explain the nature of the case, concerning which they had been induced to trouble the House on this occasion. By the act of the 20th Geo. 2nd by which the heritable jurisdictions in Scotland were abolished, his majesty was authorised to appoint a sheriff in every county who should be a lawyer of a certain standing at the Scots bar, and required to reside for a limited period during each year within his county. The petitioners had heard of an intention, on the part of his majesty's government, to require the sheriffs to reside permanently in their jurisdictions, and it was against this intended alteration of the system that they had presented this petition. He submitted, that if any alteration of this sort was intended it ought to be done by act of parliament. If, in 1748, a statute was necessary to regulate this matter, he did not see why recourse should not be had to the same authority in the year 1822. It was implied necessarily in the act of 1748, that it was in the opinion of the legislature inexpedient to require longer residence than that statute enjoined, and the penalties by which that regulation was enforced could not be made to apply to any farther period of residence. How, then, was his majesty's government to enforce this additional residence they had in view? By making a bargain with the sheriff, by promising him a pecuniary reward—a thing most objectionable in principle; for it was easy to see, that if the government might bargain with a judge to do a certain part of his duty in a particular way, or to do a thing which was not his duty, and to pay him a reward for this, the independence of those jurors was at an end. He was aware that there was no improper object here in view, and that the measure proceeded from an anxious desire to promote the public interest. But he did think that this mode of accomplishing the object was improper. In the next place, he had to submit to the House that the measure was most inexpedient in itself. The object of the act of

Geo. 2nd was to have the duties of the office discharged by a practising lawyer, and it was a virtual repeal of this purpose to require the sheriffs permanently to reside in the country, at a distance from the courts of law. The civil business consisted of giving opinions on written arguments; and it was of little consequence to the lieges whether the sheriff read those papers at Edinburgh or elsewhere. There were no civil causes tried by *viva voce* debates; and with regard to Glasgow in particular, if there were a greater number of important questions arising there than elsewhere, it was of the more consequence to have a good lawyer and not a country gentleman to decide them. As to the criminal department, it was said, that there was a great accumulation of business of that sort at Glasgow. It did not follow that the plan proposed was the best way to dispose of it. But the fact was, that all the criminal business within the city of Glasgow was conducted by the magistrates in the Burgh Court, who had done themselves much credit by their mode of discharging that duty. The commissioners on Scots courts of justice certainly had not had this fact in view, when they reported that Lanarkshire should be an exception from the other counties. They had given an opinion on the general principle, in favor of the view of the subject maintained by the petitioners, and then they went on to recommend a proceeding at Glasgow at variance with this principle. The recent disturbances at Glasgow had been founded on as an argument for this measure. But if they were to legislate for such emergencies, they should make five resident sheriffs instead of one. Five sheriffs were actually appointed at that time, and it was a necessary measure to prevent the great number of persons apprehended from being a long time detained without examination. The lord advocate of Scotland was at one time resident in Glasgow, but he conceived there was one learned person on the Treasury bench, who would agree with him, that it was not desirable to make that officer permanently resident in Glasgow. He conceived it out of the question to legislate for such emergencies. The fact was, that the sheriff of every county was always in his county at such times. He was unwilling to fatigue the House by saying more on the subject. His opinion entirely coincided with the petition.

Sir *J. Montgomerie* admitted that much good had resulted from the act of 1748; but at the same time he contended, that change of circumstances and manners might have operated to require the alteration now proposed. The sheriff of Edinburgh was always resident, and he would put it to any man to bear testimony how well the business of his court was carried on, owing to that permanent residence, and he was desirous of having Glasgow placed on the same footing.

Mr. Secretary *Peel* was decidedly of opinion, that as the sheriff-depute of Edinburgh was a resident officer in his shrievalty, so ought the sheriff of Lanarkshire. That judge had Glasgow in his district, a large and populous city, requiring the constant residence of this important officer, and therefore he was of opinion that this alteration at least should be introduced into the act of 1748, that its sheriff should be a constant resident, and that he should be placed on the same footing as the sheriff of Edinburgh, who had a salary of 800*l.*; and, in fact, government were decidedly of opinion that this alteration should be adopted, care being taken that the alteration should be rendered as little inconvenient to individuals as possible.

Mr. *Abercromby* said, that, with the exception of Edinburgh, Lanarkshire, and Renfrew perhaps, he was decidedly of opinion that constant residence should not be required. The learned gentleman recommended an act of parliament.

Lord *A. Hamilton* argued, that the measure ought to be carried into effect by an act of parliament, though for his part, he had no hopes of a proper person being induced, by 800*l.* a year, to abandon his profession, and retire from practice at the bar. He thought the salary should be increased by act of parliament, and called on the right hon. secretary to bring forward a bill for that purpose.

Mr. *Peel* said, he would not pledge himself to bring any measure before parliament.

The *Lord Advocate* was of opinion, that the faculty of advocates were misled in the opinion they had formed upon the intended measure of government. He believed that they expected a measure for making the whole of the sheriffs of the counties of Scotland reside within their jurisdiction. Nothing was ever farther from the intention of government.

The petition was then read.

Mr. *Home Drummond*, on moving that it be printed, said, that he entertained serious doubts if the bargain the right hon. gentleman seemed about to make, in promising the sheriff a sum of money for doing a thing which the law did not require of him, was, under all circumstances of the case, a legal transaction.

Mr. *Kennedy* objected to the point of residence resting between government and the sheriff. He wished for a bill on the subject.

The petition was ordered to be printed.

Roman Catholic Peers.] Mr. *Canning* rose, for the purpose of giving a notice, to which he begged to call the attention of his right hon. friend the attorney-general for Ireland. Gentlemen who had been present during the debates of last year, on the bill for the relief of the Roman Catholics, might possibly do him the honour to recollect, that in one of those discussions he had insisted strongly upon the state of the law affecting Catholic peers, and had intimated his intention of bringing that part of the subject forward at a future time: he had since repeated this design more privately to gentlemen on both sides of the House. Nothing could be farther from his wish than to interfere, in any degree, with the larger and more general measure, which, if brought forward, he would promote to the best of his abilities: but, on the expediency of bringing it forward at the present moment, he offered no opinion. As the session was advancing, and as to postpone the notice until after the holydays might even endanger the entertaining of the subject at all, he took that opportunity of stating, that on the 30th April he would move for leave to bring in a bill to repeal so much of the act of the 30th Charles 2nd as debars Roman Catholic peers from exercising their right of sitting and voting in the House of Lords. It was due to the noble persons whose interests were concerned, to declare solemnly, and upon his honour, that he had had no communication with them, upon the subject of the present notice.

Mr. *Plunkett* said, that the particular measure noticed by the right hon. gentleman formed a very principal part of the great question which, last year, he had the honour of bringing forward. With regard to the general measure, if the expediency of reviving the subject depended upon himself—if he were called upon to say, whether it ought to be brought forward during the present session, or early in the next, he should feel much difficulty in expressing an opinion. He did not say, that he was not inclined to a particular opinion, but precisely he could not take upon himself to say that he had formed one. It had been intimated to him, that the Catholics of Ireland intended again to confide to his hands the presentation of their petition. He had expressed to them how deeply he felt himself honoured by being intrusted with so valuable a charge, and had told them that he should certainly take the earliest opportunity in this session of laying their petition before the House, and of calling its attention not only to the importance but to the urgency of the measure for which it prayed. As to what might be the wishes of the Roman Catholics of Ireland, he declared he could not with certainty speak. On the propriety of introducing the subject at present, he thought that no individual could arrogate to himself the right of forming a conclusive judgment: it could only be arrived at after a full communication with the friends of the measure, in England and in Ireland, in that House and out of it. For the Roman Catholics of Ireland he thought he could say, that they would be governed by the sentiments of those whom they deemed their sincere and zealous friends. If those friends thought it advisable to bring it forward, it should have his warm, cordial, and unalterable support. As to the noble persons interested in the notice just given, he was glad that his right hon. friend had given that notice without any communication with them. No man in the community could feel an objection to their claims having the priority. They were the last who were deprived of their rights and dignities; and all would allow that they had a strong claim to be the first to be restored to them.

Mr. *Tierney* believed, that but one opinion would be felt as to the notice of the right hon. gentleman. From the attorney-general for Ireland, he wished to know whether he had made up his mind upon the fitness of introducing the measure for the relief of the whole body of Catholics; or whether his ultimate opinion was to depend upon the sentiment entertained by the friends of the measure, in England and in Ireland, in the House and out of it? No doubt it was fit to collect the judgment of the various parties, but he

would recollect that time was rapidly passing away, and unless a notice were given before Easter, it must be brought forward at so late a period of the sessions, that full justice could scarcely be done to it. He felt no hesitation in saying, that he did not see from what quarter an objection could come. After the success of last year in that House, and the limited number by which it was rejected elsewhere, nothing could be more encouraging than the prospect at present afforded. The right hon. gentleman was now certainly in the way of knowing things of which he (Mr. T.) was ignorant; but the least he could do was, to make up his mind on this important question.

Mr. *Plunkett* said, it would afford him great satisfaction, could he give a more explicit answer to his right hon. friend. He had not been able yet to bring his mind to any definite conclusion, though he was not conscious of having omitted any means of informing himself upon the subject. The sentiments of the Roman Catholics with whom he was connected would, of course, mainly govern him; and he had every reason to believe that they were not at present anxious to press the matter forward. He felt that he should not do right if he now entered into the question as to the time when it might or might not be proper to introduce the subject; but he must be considered as exercising his own discretion on a matter so momentous: he had given it every possible attention, without being influenced by any indirect view, either public or personal. Whenever he found that it could be discussed favourably, he would not be backward to bring the question forward. He begged to remind the right hon. gentleman that this had never been considered an annual measure, to be brought forward session after session. It had been said, that the success of last year was a strong argument for persevering; but he could not bring his mind to any such conclusion. The nearer he approached to the final accomplishment of the object, the more tremulous was his feeling with respect to it. He did not think the state of Ireland at this time, such as to warrant the friends of the Catholics in pressing for an early discussion of their claims; and he really believed that the Roman Catholics had good taste and good feeling enough to abstain. Whether or not, philosophically speaking, the prevailing discontents in Ireland might be a reason for urging the question, was a point upon which he gave no opinion. He did not think it a desirable experiment, unless there was a moral certainty of success. If it were successful, nothing could certainly diffuse greater satisfaction; but if, on the other hand, it were unsuccessful, nothing was more likely to rouse and irritate the people of Ireland. He had only to repeat, that the present leaning of his mind was, that this was an unfavourable season for the discussion of the question.

Mr. *Bright* observed, that the measure of which the right hon. gentleman had given notice, was one great step to the admission of the Catholics to political power, and should be resisted accordingly.

Sir *J. Newport* said, that he looked at the Catholic question in a light directly opposed to the view of the attorney-general for Ireland. The state of that country seemed to him an additional reason for bringing forward the measure without delay, since, in his opinion, it would accomplish the permanent tranquillity of Ireland. The question was not open to other individuals; for, until the right hon. gentleman relinquished it, no other individual was warranted in interfering with it. He was of opinion, that the Catholic question ought to be brought forward this session, and that no time ought to be lost.

MISCELLANEOUS ESTIMATES—COMMISSARIAT—BARRACKS.] The House having resolved itself into a Committee of Supply,

Mr. *Arbuthnot* said, that in proposing a vote for the Commissariat Department, he felt it necessary to trouble the committee with a few words, in explanation of the manner in which the estimates were drawn up this year, prior to any question being put to him on the subject. The estimates were drawn up in a mode differing considerably from that which was adopted last year, and it became his duty to state in what the alteration consisted. Last year the rations for the commissariat department were, on the whole estimate, taken at a fraction beyond 6*d.*, and the total expense was 159,000*l.* In the present year, the charge was reduced to 101,000*l.* in consequence of the reduction of the number of troops. The ration during the present year would amount to only 4½*d.*, as provisions had fallen con-

siderably; but the soldier would have the advantage of the odd three-halfpence; the practice being, that when the ration cost more than sixpence, the public paid the excess; but if it fell below that sum, the soldier reaped the benefit of the reduction. The charge for candles and stores last year was 41,000*l.*; but as there were fewer troops to be provided for in the present year, only 35,000*l.* would be necessary. With regard to the pay of the commissariat department, it was last year 52,000*l.*; but it was now reduced to 49,000*l.* Fewer individuals were employed, but the same number of stations was continued. Last year the half-pay connected with the commissariat amounted to 33,068*l.*; it was this year increased to 45,284*l.* There had been a considerable reduction of numbers in the commissariat department, and that circumstance of course tended to increase the half-pay list. There was also some small addition to the expense of the department, occasioned by the promotion of certain officers at the period of the coronation. The officers of this department had served their country most essentially on the Peninsula, and it was thought that they deserved some reward in time of peace; but, from the year 1816, until the coronation took place, there had been only two promotions. In the last year, there was a promotion both in the army and navy; and it was felt, that if some meritorious officers were not promoted in the commissariat, it would be considered as a very great hardship. Four individuals were, therefore, promoted to the highest class—that of commissaries-general; six to the second class; four to the third; and sixteen clerks were promoted to the last class. With regard to the pensions granted to widows, there was some increase under that head. Many individuals connected with the commissariat department had fallen victims to the unhealthiness of foreign climates, and their widows had been placed on the compassionate list. The next head of expense was the establishment of the different commissariat offices in Great Britain. The expenditure for those offices last year was 16,283*l.*; in the present year it was 15,280*l.* A very considerable saving had been effected, by circumscribing as much as possible the number of labourers who were employed. When the storekeeper-general's department was annexed to the commissariat, it was found extremely difficult to transact the business of the office without employing a great number of labourers; but the gentleman who was now at the head of the commissariat department had, in the course of two years, reduced the number of labourers from 129 to 50. Indeed, the number was so greatly reduced, that it was found necessary, at times, to employ extra labourers; but it was thought better that labourers should be hired as they were wanted, than a permanent charge be imposed on the public. Under this head, 4,500*l.* had been saved in the last year. The last item consisted of rent paid for storehouses at Woolwich and other places. Last year the sum charged was 8,000*l.*; in the present year it was between 3,000*l.* and 4,000*l.* The items in the aggregate amounted to 357,358*l.*, from which was to be deducted 22,718*l.*, the amount of stores at present in the dépôt, leaving a nett sum of 334,640*l.* for the commissariat department in Great Britain. The commissariat department abroad required 49,118*l.*; but from that was to be deducted the sum of 6,118*l.*, which was paid out of the colonial revenue up the Mediterranean, leaving 43,000*l.* for this branch of the service. It was stated last year, that it would be desirable to make an arrangement, by which there should be only one storekeeper's department. When the observation was made, he said, that if it could be effected consistently with the public service, the alteration should undoubtedly be made. His majesty's ministers had taken the subject into consideration, and he could now state, that, though the change was not actually made, yet it was decided on, and the storekeeper's department would next year be transferred to the Ordnance. While he was speaking on this subject, the committee would allow him to observe, that the gentleman at the head of the commissariat had executed the duties of the storekeeper's department, as connected with the commissariat branch of service, in the best possible manner; and he hoped, when the transfer was effected, that the board of Ordnance would take care to see the duties of the storekeeper's department executed as ably as they were at present. They might, perhaps, dismiss some of the officers, and reduce the charge of the establishment, but he was convinced they could not improve the system which Mr. Hill had introduced. The duties performed by Mr.

Hill, both in the storekeeper's department, and in that of the commissariat, were most meritorious. Indeed, he did not think there existed a more zealous or efficient public servant. The right hon. gentleman concluded by moving, "That 334,640*l.* be granted for the expense of the Commissariat Department, for the year 1822."

Mr. *Hume* said, the committee must feel satisfied with the explanation given by the right hon. gentleman. He, for one, was greatly pleased with it. He was glad to find that the right hon. gentleman had endeavoured to simplify the mode of drawing up those estimates by rendering the different items more clear and distinct than they had usually been. There was a very considerable reduction of expense in this department. Last year the sum voted was 401,000*l.*; in the present year only 334,000*l.* was required. He believed the right hon. gentleman was most anxious for reduction; and he would not, therefore, carve out objections unnecessarily. It was, however, quite impossible for the House to judge whether several of these items were too large or too small, because particulars were not specified. There was, for instance, a sum of 25,000*l.* put down for coals and candles for the use of barracks; and certainly, when that sum was placed in a lump, the House could not judge whether it was proper or improper. There was also a sum of 70,000*l.* charged for barrack-stores; but the expense for each particular item was not given. He thought, therefore, that these estimates might be still farther simplified. He was doubtful whether the expense for the erection and repair of barracks should be introduced here. The entire expense of barracks ought to be placed under the head of "barrack estimates," and not under that of "commissariat." He did not say that it would lessen the aggregate amount; but it would be satisfactory to have every item under its proper head. Here he saw a charge for the clothing of convicts at New South Wales. This he objected to. It would be much better if the whole expense of the colony of New South Wales were placed under one distinct head. That one account of 70,000*l.* comprised 40 or 50 different items. He hoped the right hon. gentleman would have no objection to specify the sum appropriated to each item. He certainly would not consent, next year, to vote a sum of 70,000*l.* without explanation. There was a charge made for provisions supplied to foreign garrisons, and he found a similar item in the navy estimates. He was unable to discover what provisions were alluded to in the present vote. At all events, he was convinced that they ought not to be supplied, either by the navy or the commissariat. Provisions for garrisons abroad ought to be placed under a separate and distinct head. He and his hon. friends had last year pressed on the attention of government the necessity of removing the department of storekeeper-general. This they recommended for the purpose of getting rid of the heavy expense incurred for store-houses, it being their opinion, that the houses already provided for Ordnance-stores were amply sufficient for the stores placed under the care of the storekeeper-general. He wished to know from the right hon. gentleman whether such a saving would be effected in consequence of the change to which he had alluded? If a change did not take place to that extent, very little good would arise from the projected alteration. In the first page he saw the estimated expense of forage for the cavalry; but he could not conceive why other items were charged under that head, and afterwards deducted. There was, he observed, a sum of 1000*l.* to make good any excess that might occur in the contract for rations. He did not know in what part of the country such an excess of price was likely to occur. The number of commissaries in our colonies he considered to be by far too great. In Canada there were last year 73; this year the number was reduced to 61. In Nova Scotia there were 22 commissaries. Here were 83 commissaries in these two places. There were, besides, eight commissaries of accounts in Canada, and four in Nova Scotia, making a total of 95 commissaries in these two stations. Certainly, a considerable reduction might be made with respect to these appointments. He saw, amongst the superannuations, a charge of 1,200*l.* which was paid to Mr. Herries. He had also, as auditor of civil list accounts, a salary of 1,500*l.*, making altogether 2,700*l.* per annum. He was at the same time acting as a commissioner in Ireland. Now, he wished to be informed, whether Mr. Herries received any, and what allowance, for his services in this latter capacity? There was likewise a charge of 1,100*l.* paid to Mr.

Trotter, who had been only 11 years in the service. This he thought a most extravagant grant. It had been said, that this allowance was granted on account of great length of service; but such was not the fact. This individual had been for some years in the office of his uncle, Mr. Trotter, who was agent for stores; but he was not in the service of the public until 1808 or 1809, when he was taken out of his uncle's office. Very considerable reductions might certainly be effected in the superannuation list.

Mr. *Arbuthnot*, adverting to the remarks which had fallen from the hon. gentleman respecting the storekeeper's department, said, he had, perhaps, been rather remiss in not stating that arrangements had been made, which afforded him every reason to hope, that the whole duty of that department would in future be transferred to the Ordnance. He could assure the hon. gentleman, that though a year had elapsed since this subject had been mentioned, the time had not been passed in idleness. His thoughts had been anxiously turned to it, with a view of making the transfer as soon as this could be effected, with due regard to economy, and proper attention to the public service. He believed he might say, that from this time forward, the whole of the business of the Storekeeper's department would be transacted at the Ordnance. The item of 70,000*l.* which had been alluded to, he could only submit to the House as he had now brought it forward. Hereafter there would be no difficulty in obtaining information as to the manner in which it might be applied; but at present all he could say was, that that sum had been spent in the last year, under the head which appeared in the estimates, and it was reasonable to suppose, that a like sum would hereafter be wanted. With respect to the warehouses in Tooley-street, which had been alluded to, he had every reason to believe that they would soon be got rid of, but under what circumstances they would be turned on the hands of the proprietors he could not now take upon himself to say. As to the number of commissaries kept up in Canada, Nova Scotia, and the West Indies, he was sorry that he had not with him a paper which he had left at home, stating the number of stations occupied by the troops. At Gibraltar, where the soldiers were nearly all in one place, but few commissaries were necessary; but scattered as the forces were at the other places which had been mentioned, it must be seen that a much greater number of commissaries were called for, and the expense of provisions, and stores must be greatly augmented if a sufficient number of officers were not retained to watch and protect them. If, consistently with the public interest, the number could be reduced, such reduction should take place. Remarks had been made on Mr. Herries. That gentleman received 2,700*l.* for his services. He believed it was well known, that he had performed his duty in a most satisfactory manner. It might be proper to state, that though Mr. Herries was now included in the parliamentary commission appointed to inquire into the state of the public offices in Ireland; he received no salary for that duty. He ought to say too that, if Mr. Herries retained his situation as auditor, it was no fault of his, as he had wished to relinquish it last year, that he might wholly give himself up to the other duties that claimed his attention. For Mr. Trotter, though the hon gentleman denied his claim to consideration for long services, it ought to be remembered, that his peculiar fitness for the situation which he had filled, had raised him to it. Having received 2,000*l.* per annum during the war, he thought he had not been improperly allowed to retire on an income of little more than 1,000*l.*

Mr. *Bennet* said, that the income of Mr. Herries, 2,700*l.* was one that might well startle them, for such an income had never been heard of for a clerk before. He admitted Mr. Herries to be a most meritorious servant, but he objected to that scandalous prodigality which gave him so large a reward.

The *Chancellor of the Exchequer* spoke to the meritorious services of Mr. Herries, and begged to inform the hon. member, that there were very few members of that House whose education and talents surpassed those of that gentleman. The hon. gentleman was not justified in considering him merely as a clerk. From a clerk to the Treasury he had risen to a most important situation, having, in every instance, given the highest satisfaction to the heads of his department. Mr. Herries to the close of the war had been entrusted under a commission with the management of an immense sum connected with the military expenditure of the country. No less than 17,000,000*l.* had passed through his hands, for which he had accurately accounted, and for the disbursement of

which he had disclaimed all remuneration. He had also rendered important services to the country in connexion with the new arrangement of the civil list, and had put the accounts on such a footing that no accumulation of debt had since occurred. Mt. Trotter, it was true, had not been in the public service so long as Mr. Herries. But though he had not served the country more than eleven years, the House could not be ignorant of the great exertions which that gentleman had made in various places abroad, and especially in the Netherlands. The number of commissaries kept up in Canada were necessary, while our troops in that quarter were scattered as they were at present. To diminish the number of those whose duty it was to watch over the provisions and stores before the forces could be more concentrated, would be the worst economy.

Mr. *Bennet* did not mean to deny that Mr. Herries was a most excellent servant. What he objected to was, that he had received the salary which ought to pay a higher office than that which he had filled.

The *Chancellor of the Exchequer* said, that since it was admitted that Mr. Herries was a most excellent servant, he would take upon himself the responsibility of having advised a just remuneration for his services.

Mr. *Bennet* said, it was easy for the right hon. gentleman to refer the House to his responsibility. Though he had often heard of responsibility in that House, he had yet to learn what the word meant. He did not know whether the day of real responsibility would ever arrive, but he hoped to God that it would, and that, too, while the present ministers were living.

The resolution was agreed to. On the resolution, "That 121,600*l*. be granted for defraying the expense of the Barrack department for the year 1822,"

Mr. *Hume* expressed himself satisfied with the proposed transfer of the storekeeper-general's department to the Ordnance. But, on the item of 27,000*l*. for barrack-masters, he could not express the same satisfaction. It had last year been 29,000*l*. The whole of this charge in 1818 had been 99,100*l*. There had been then no such sum as 60,000*l*. for alterations and repairs. In Oldham and Manchester, barracks had been built or repaired since at great expense, and they were now empty. He had reason to complain that a return of all the barracks which had been ordered had not been made. From 1791 to 1796 the charge had been but 40,000*l*. This increase was most extravagant. By reducing the salaries of barrack-masters to 90*l*. a saving of 10,000*l*. would be made, and this saving he hoped to be able to persuade the committee to make. Half-pay officers would be glad to take the situation. But persons had been appointed who had never been connected with the army. He had last year pointed out an instance of a linen-draper who was a barrack-master. This year he found an ironmonger a barrack master. Upon the vote for barrack-masters, then, he proposed a reduction of 10,000*l*. With respect to the next item of 60,000*l*., he could not help thinking that so large a sum of money was ill applied in the repairs of barracks. It would be better by far to let the barracks go to ruin, and to build new ones, if ever (which Heaven forbid) they should be wanted. One half, at least, of the 60,000*l*. might be dispensed with; and certainly one half of the charge might be saved upon the item of barrack offices. The hon. member concluded by moving, "that 111,600*l*. be granted, instead of 121,600*l*."

Mr. *Arbuthnot* said, that since he had been in office he had never appointed any person to the situation of barrack-master who was not connected with the army. It was a mistake to suppose that a barrack master had nothing to do at present; for he had the care of the barracks and of the stores. He had never made an appointment from political motives; indeed he could appeal to the hon. member for Shrewsbury to bear him out in this assertion with respect to a particular case. [Mr. Bennet assented.] In consequence of the observation which had been made last year as to the barrack-master at Haddington, he had directed inquiry to be made; and the result of it was, that the individual in question was not a linen-draper, and that he regularly discharged the duties of his situation. As to the objection to the sum for repairs, it was impossible to prevent the barracks falling to ruin, unless they were repaired.

Colonel *Wood* said, that as to the general question of repairs, he certainly thought that too many barracks had been built; but it would be penny wise and pound foolish to pull them down or to suffer them to fall into decay. He did not think many officers on half-pay would

accept the situation of barrack-master.

Mr. *W. Smith* thought it impossible for any gentleman to go into a detail of the estimates without committing mistakes, and those mistakes were sure to be thrown in his teeth by the gentlemen opposite. Surely 60,630*l*. must be a most enormous sum for barrack repairs, when the whole charge for bread, meat, and forage was 101,700*l*. only.

Sir *J. Newport* said, it appeared as if there was no limit to the discretion of the barrack department. He observed a sum of 10,000*l*. for repairs in the last year, though they appeared to be of a temporary nature, and though the particulars of the charges were not given.

Mr. *Arbuthnot* said, that no considerable expense was ever incurred without the approbation of the Treasury. He was not able to give the particulars of the sum alluded to, on account of the illness of the officer at the head of the barrack department.

Mr. *R. Smith* thought the circumstance just mentioned by the right hon. gentleman was an irresistible argument in favour of the amendment. The expenditure of the last year was in general a guide for that of the present; and as the 10,000*l*. in question had been laid out for extraordinary repairs, it was not likely that a similar sum would be required this year.

Mr. *Arbuthnot* said, that as there certainly appeared to be some foundation for the argument that the repairs in question were extraordinary, and as he was, for the reasons he had mentioned, not able to give the committee the particulars of it, he would not press the vote, but would agree that the 10,000*l*. should be deducted from the proposed vote.

Mr. *Bennet* said, that the motion of his hon. friend, the member for Aberdeen, was intended as a reduction of the allowances to barrack-masters, and was therefore not touched by the concession which had just been made. With regard to the present vote, he really thought that as much as 40,000*l*. ought to be taken off; 10,000*l*. from the salaries, and 30,000*l*. from the repairs. The barracks at Manchester and Oldham were perfectly useless, and were admitted to be so; and as for the barrack in the Regent's-park, it was erected in a most inconvenient situation, and was damp and unhealthy. He objected also to the allowance of a horse and barrack carriage, for each barrack-master.

Mr. *Arbuthnot* said, he understood the object of the hon. member for Aberdeen was merely to take 10,000*l*. from the vote, and to that he had consented; but he could not agree to any further reduction. Several barracks had been given up; and among them those at Manchester.

Mr. *Hume* said, he had last year opposed the grant for the barracks at Manchester, and his arguments had failed in convincing the House. Now, it appeared, that the barracks were given up, and the money was lost to the public.

Mr. *Arbuthnot* said, it was only the temporary barracks at Manchester to which he had alluded. Those of a permanent nature were retained.

The resolution as amended to 111,600*l*. was then agreed to. On the resolution, "That 40,000*l*. be granted for the expense of Works and Repairs of Public Buildings," Mr. Alderman Wood moved that the consideration of the vote be postponed. Upon this the committee divided: For the Amendment, 33; Against it, 75. The resolution was then agreed to.

List of the Minority.

Bennet, hon. H. G.	Hurst, R.
Baring, sir T.	James, Wm.
Bernal, R.	Moore, P.
Bright, H.	Monck, J. B.
Boughey, sir F.	Newport, sir J.
Barrett, S. B. M.	Ord, W.
Benett, J.	Powlett, hon. W.
Chetwynd, G.	Pym, F.
Crespigny, sir W. De	Ricardo, D.
Duncannon, visct.	Robarts, col.
Dickinson, W.	Sefton, lord
Evans, W.	Smith, W.
Farrand, R.	Sykes, D.
Griffith, J. W.	Williams, W.
Gipps, G.	Warre, J. A.
Hume, J.	Wood, M.

HOUSE OF LORDS.

Monday, April 1.

ROASTED WHEAT.] The Marquis of *Lansdown* said, he had intended to move for a copy of the opinion of the attorney and solicitor-general on all the cases of prosecution instituted by the Excise against persons selling Roasted Wheat, &c. but he had altered his motion at the suggestion of the noble earl opposite. He would briefly call their lordships' attention to the returns on their table. It appeared from them that the commissioners of Excise had thought themselves authorized by act of parliament, not merely

to prosecute persons charged with, or suspected of frauds on the revenue, but also persons who were guilty of no fraud, nor of any fraudulent intention, and who only wished to do that which every subject had a right to do; namely, to sell articles of food not forbidden by the law. On looking at the acts of parliament, it might be very possible that, under the opinion of the officers of the Crown, the commissioners of Excise saw ground for proceeding as they had done. He meant a technical ground; for, surely, neither their lordships nor the other House of Legislature could have meant that the law should be applied in any other way than to protect the revenue against fraud. The last act on the subject was passed on the application of the commissioners, because it had been found difficult to prove fraud to the satisfaction of juries. He did not mean to say that, with such a revenue as this country had to collect, severe laws were not necessary; but there was a great distinction between prosecutions for fraud, and prosecutions not for any fraud whatever, or even any alleged fraud. He never could believe, that it had been the intention of the legislature to give to any persons the right of determining what articles should be sold or taxed. There had, besides, been an arbitrary selection of persons for prosecution. The board of Excise laid down a distinction which they had no right to make. They had decided that persons might roast wheat for their own use, but that those who sold it were to be prosecuted. The commissioners of Excise were thus assuming a power which parliament could not intrust to any authority in the country. With regard to the impolicy of the proceeding, he thought there could be no doubt. He was prepared to contend, that no manufacture could be more beneficial to the country than that which, by making new articles of food, increased the consumption of its productions. On the ground of national expediency, therefore, their lordships would do well to watch such proceedings. The power to prosecute when fraud was not distinctly seen was just; but nothing could be more unjust than that it should exist where no fraud was alleged. In the case where an article was sold openly, and without any intention to substitute it fraudulently for another, it was entitled to the full protection of the law. He would conclude by moving for copies of all convictions under prosecutions by the board of Excise for the sale of articles composed of bread, corn, roasted wheat, &c.

The Earl of *Liverpool* said, he did not object to the motion. He admitted that he saw no reason why persons should be prohibited from selling roasted wheat, or any other roasted grain. But the question was, whether an opening was not made for fraud when it was sold in the state of powder. The prohibition in that case might be necessary, not only for the protection of the revenue, but for the protection of the purchasers of the article, which was thereby liable to be adulterated. Parliament was bound to guard against frauds of this nature, and prohibition was for the interest of the individuals liable to be imposed on.—The motion was agreed to.

HOUSE OF COMMONS.

Monday, April 1.

AGRICULTURAL DISTRESS—RATE OF INTEREST.] Mr. *Stuart Wortley* said, he held in his hand a petition from the owners and occupiers of land in Linlithgow, complaining of distress. The remedy which the petitioners proposed was, the laying out of a million of money on the part of government in the purchase of corn in the market. He particularly directed the attention of the House to one paragraph in the petition, to this effect:—Your petitioners do not pretend to find fault with taxes, being convinced that they are necessary for the support of the state. To reduce taxation would be like a drop of water falling into the immense ocean—our distresses are so far beyond the reach of any relief to be obtained in that way." In that opinion he fully concurred. He felt disappointed that the Bank had not seconded the plan of the government, by consenting to discount at a lower rate of interest. He was convinced that the Bank, by refusing to discount at a lower rate of interest, had contributed materially to the distresses of the country. The conduct of the Bank was indeed extraordinary. It did nothing to facilitate money transactions, which was originally the object of its institution. Why had the Bank continued its rate of discount higher than in other countries? Why was it necessary to pay 5 per cent in London, and only 4 per cent in Paris? He was willing to admit that the country was greatly obliged to the Bank for their conduct

during the war; but he could not avoid stating that it was now doing that which was most likely to augment the existing distress.

Mr. *Manning* felt it extremely difficult to reply to the observations of the last speaker, because he had no authority to state any thing on the part of the Bank. The hon. member had said, that a great portion of the agricultural distress was to be ascribed to the conduct of the Bank. A charge so totally without foundation, he had never heard. In his opinion, the distress of the agricultural interest was occasioned by over production, arising from the large quantities of land enclosed during the last twelve years. The directors of the Bank had been held up to public indignation as being the cause of agricultural distress, because they had not lowered the rate of interest. But the Bank had nothing to do with lowering the rate of interest. That was altogether a parliamentary question. The learned member for Guildford had once proposed to repeal the usury laws; and if that had been agreed to, interest would have been taken at 10 or 12 per cent. Another attack in which official persons had joined had been made upon the Bank, because it had not lowered the rate of its discount to 4 per cent. He did not know why the Bank were to be called usurers and extortioners on this ground. The Bank lent out its whole capital of 15,000,000*l.* at 3 per cent; and if they were to-morrow to discount commercial bills at 4 per cent, the measure would not afford the slightest facility, beyond that at present existing, to any landowner to borrow money on mortgage. Money, to any extent, might now be borrowed at 4 per cent upon real security. It was the bounden duty of the Bank to carry into effect the determination of parliament to restore a metallic currency. The circulation was at present full; and, from the year 1819 to this moment there had been no want of money in the country. In his judgment, to lower the rate of interest would be to force British capital into the foreign funds. Within only a few days, 300,000*l.* had been sold out of our stocks and placed in those of other countries.

Mr. Serjeant *Onslow* defended his proposition to repeal the usury laws, which was merely, that the rate of interest should be left to find its own level. He had by no means abandoned it, and the measure which was in contemplation for reducing the tax on the transfer of mortgages, would remove the objections that had been made to it.

Sir *W. W. Wynn* said, he should hear with great satisfaction of the reduction of the rate of interest, and wished to know whether the reduction of the heavy tax on the transfer of mortgages was actually in contemplation.

The *Chancellor of the Exchequer* said, that ministers, with the advice of the law officers of the Crown, intended to introduce a clause into a bill now preparing, remitting the heavy *ad valorem* duty on mortgages. It would provide, that mortgages might be endorsed from one party to another, on the payment of the value of the common deed stamp.

Sir *T. Lethbridge* agreed, that the Bank was not the cause of the agricultural distress, and that the country was under great obligations to the Bank; but on the other hand, the Bank were under great obligations to the country; and he thought that they should not be slow to reduce the rate of interest, which ultimately they could not keep up.

Mr. *Benett*, of Wilts, said, the only source of immediate relief both to landlord and tenant was a reduction of the interest of money. The law, though it prevented the Bank from taking more, did not, he apprehended, prevent them from taking less than 5 per cent. If 4,000,000*l.* were to be advanced for five years certain, at 4 per cent to those who had mortgages, not more than 5,000*l.* to be advanced to any person, it would have the immediate effect of reducing the whole mortgage interest of the country.

Mr. *Western* said, the ministers should be aware of the situation in which agriculture stood. The gentlemen whose property was embarked in that pursuit were on the brink of ruin. He was convinced that two-thirds of the farmers of Essex were at this moment, if they were called upon to settle their accounts, in a state of insolvency. He called upon the noble marquis to consider whence such a situation had arisen. Had it happened in this country before? Had it happened in any other country, that a whole class of men were deprived of their property? So far from expecting this, there was every reason to have hoped for the reverse. Their situation was one which must convulse the whole frame of society, unless it were speedily altered. Landlords for the last two or three years had been

living upon the capital of their tenantry. To comprehend the cause of such a situation, was difficult, and to find a remedy still more so. The operations of the legislature as to the money, had, he was convinced, been almost the sole cause of the evil; for great as the burthens of the country were, its resources were also so great, that but for the manner in which the currency had been affected, it would have been now in a state of unequalled prosperity. By the change of the currency, the burthens of the country had at once been increased 20 or 25 per cent. Notwithstanding the distress, he had not had during this session a single petition, to present from the county of Essex. The real cause of this was, that an utter despair existed of relief from that House, and they had absolutely given up petitioning. The act of 1797 had been a breach of faith to the public creditor, the act of 1819 had been a breach of faith to the public debtor not less gross; and he was convinced, the more its consequences were experienced, the more the necessity would be felt of reconsidering it.

Sir *E. Harvey* confirmed what had fallen from his hon. colleague on the subject of petitions. He also bore testimony to the great extent of the distress in Essex.

Mr. *Huskisson* could not avoid expressing his opinion, that if the Bank could be induced to lower the rate of interest, it would contribute in some degree to release the pressure which gentlemen so bitterly lamented. When it was said that it had lent 15 millions to the public at 3 per cent, it ought not to be forgotten that parliament had given the Bank important and exclusive privileges. If the ordinary rate of interest was elsewhere under 5 per cent, he could not understand why the Bank should refuse to discount on good securities at the same rate, when it had in fact found it worth while to lend to the state at 3 per cent.

Mr. *Monck* said, the Bank had a right to make the best use of their capital, and that any relief occasioned by the lowering of interest would be of small amount, except to mortgagees. The distress of the country could, in his opinion, be relieved only by raising the price of agricultural produce, or by reducing taxation.

Mr. *Huskisson* begged to disclaim all right to interfere with the affairs of the Bank of England. He had only stated his opinion as an individual member of parliament.

Mr. *Pearse*, contended that over-production was the real cause of the distress, and that the rate of interest had always been governed by the price of the funds.

Ordered to lie on the table.

Report from the Committee on the distressed State of Agriculture.] Mr. Gooch brought up the report of the select Committee on the distressed state of the Agriculture of the United Kingdom, and moved that it be read. The marquis of Londonderry suggested, that as arrangements had been made for printing the report as soon as possible, it might be better not to have it read at present. After a short conversation, it was agreed that the report should be taken into consideration on the 22nd. The following is a copy thereof:—

Agricultural Report.

The Select Committee appointed to inquire into the Allegations of the several Petitions which have been presented to the House in the last and present Sessions of Parliament, complaining of the distressed state of the Agriculture of the United Kingdom, and to report their observations thereon to the House;

Considered that among all the important objects referred to them, none could be more deserving of their earliest attention than an inquiry into any measures that could be suggested for affording some temporary relief to the distresses of which the numerous petitioners with so much reason complain, and which appear, from the returns of the average prices of corn during the late weeks,* to be progressively increasing rather than diminishing.

Your Committee do not venture to determine whether the present state of the corn market be owing to an excess of production, or to what extent that excess may reach, beyond the usual and requisite supply; or whether the necessities of the occupiers of land cause an unprecedented eagerness to dispose of their produce at almost any price; but it appears from an official return, that the quantity of British wheat and oats (but not of barley) sold in Mark-lane, between 1st November and 1st of March last, has very considerably exceeded the quantity sold in

* Prices, 16th March, 45. 11. } the highest
9th —— 46. 10. } price of any 1
2nd —— 46. 11. } week in 1822,
23rd Feb. 47. 7. } was 56s. 7d.

the corresponding months of the twenty preceding years. Such an excess of supply beyond demand can have no other effect than to continue the depression of price, and increase the accumulation of the stock upon hand; while it is evident, from the present very low rate of price on the continent of Europe, as compared with prices in this country, that there is no chance of resorting to the natural expedient of relieving the market by exporting any portion of our own corn, even with the aid of any bounty which would not be excessive.

Two other modes have, therefore, been under the consideration of your Committee; by the first of which it was proposed that one million of exchequer bills should be applied to purchasing, through the agency of government, and laying up in store, a certain portion of wheat grown in the United Kingdom; and by the second, that facility and encouragement should be offered to individuals to deposit a part of their stock in warehouses, so that they might not be forced to come into the market simultaneously, and under the disadvantage of excessive competition, but might be enabled to wait until the supply having approached nearer to the wants of the consumers might afford, if not a remunerating, at least a price somewhat less ruinous for their produce. With regard to the first of these proposals, the general objections against making the public, through the executive government, a dealer and speculator in corn, the suspicions to which it might give rise, and the uneasiness in the public feeling which it might eventually excite, the danger of its being drawn into precedent, the claims which it might be supposed to give to other important articles of domestic produce, whenever they might be exposed to similar depression, and the universal rule of allowing all articles as much as possible to find their own natural level, by leaving the supply to adjust itself to the demand, discourage your Committee from recommending it, even under this extraordinary emergency, and with all the guards and qualifications of a temporary expedient. But with regard to the second, although much less efficacious in its operation, the objection of government becoming a purchaser does not apply, as individuals would in this case act for themselves, and according to their own discretion, the government interfering no otherwise than by making advances upon the commodity deposited, which would be repaid, with a low rate of interest, as soon as the article should be brought to market. For effecting this object, two different modes have been suggested, by one of which it was proposed, that when the weekly average price is under 58*s*. (the import-scale remaining at present) wheat should be stored, subject to a monthly allowance of sixpence per quarter, until the average price should reach 65*s*. The whole quantity not to exceed 600,000 quarters, and the time for which the allowance should be payable not to exceed 12 or 18 months. Not more than a certain number of quarters, nor less than another specified number of quarters, to be stored on the part of any individual or firm. The owner of the corn so deposited to be at liberty to withdraw it at any time, waving his claim to allowance, or refunding it.

The other proposition was, that for the purpose of relieving the glut which at present presses upon the grain market, the government, whenever the average price of wheat shall be under 60*s*. should grant advances of money upon such corn of the growth of the United Kingdom, as should be deposited in fit and proper warehouses upon the river Thames, and in the ports to be hereafter specified, to an extent not exceeding two-thirds of the market value of such corn; the quality of the corn and the fitness of the warehouses to be approved of by officers to be appointed by the government. The loan to be at the rate of 3 per cent and the period of deposit not to exceed 12 months. The corn to be withdrawn at the will of the depositor, upon payment of the interest, warehouse rent, and other charges. The sum of one million so applied, would probably be fully adequate to give a temporary check to the excess which is continually poured into the already overstocked market. If the House should be inclined to agree with your Committee in countenancing the latter of these propositions, it is evident that it ought to lead to some immediate proceeding: and although no very great effect can be contemplated from adopting it, its operation, as far as it may extend, can hardly fail to afford some temporary relief.

There is another measure also to which it is fit to call the early attention of the House. The foreign grain and flour of all sorts in different warehouses under the

king's lock, appears to have amounted on the 5th January last to 897,196 quarters; with regard to which, although there is little probability that it can soon come into competition with our home produce, yet it still hangs over the market in a formidable mass, ready to be poured in at once, creating no small degree of panic as to its future operation, and invested with a sort of claim (which is of the utmost importance) to be brought out free from duty, whenever the ports shall be opened under the existing law, even supposing any duty shall be imposed by parliament, under an alteration of that law, upon all corn hereafter to be imported from foreign parts. To relieve the market from both these inconveniences, it may be proper to permit the holders of such corn now in warehouses under certain adequate regulations and restrictions, to have the same ground into flour for the purpose of exportation; and also to provide, by legislative enactment, that in future any foreign corn warehoused in this kingdom shall be considered as corn coming from abroad, and subject to all such duties and regulations as are or may from time to time be imposed upon corn coming directly from a foreign port. A proposition which was submitted to your Committee, for advancing loans to parishes on the credit of the rates, appeared to be attended with so many difficulties, and to be so little applicable to the purpose of alleviating the distresses which are complained of, that they do not deem it necessary to enter into any examination of it, nor to lay it before the House.

Much as your Committee lament, that so little prospect of immediate relief can be held out to the urgent distresses which have been submitted to their anxious consideration, they think it material to obviate and counteract any unfounded alarm which may have been, either casually or industriously, circulated, that there was ever the least intention entertained by your Committee of rendering the present condition of the British cultivators worse than it is under the existing law; and they therefore submit, with great confidence, to the House, that the act of the 55th of the late king, c. 26, which regulates the importation of foreign corn, ought to continue in force until the average price of wheat shall be 80*s.* per quarter, and other kinds of grain in proportion. It is impossible to carry protection further than monopoly; and it cannot be denied, that this monopoly the British grower has possessed for more than three years, that is, ever since February 1819, with the exception of the ill-timed and unnecessary importation of somewhat more than 700,000 quarters of oats, which took place during the summer of 1820. It must be considered further, that this protection, in consequence of the increased value of our currency, and the present state of the supply of corn combined with the prospect of an early harvest, may, in all probability, remain uninterrupted for a very considerable time to come. But for the purpose of obviating the dangers in which this law can hardly fail, sooner or later, to involve the cultivators of the soil, and in conformity to the reasoning contained in the report of the committee of the last session upon the same subject, some material change must be contemplated; your Committee, therefore, cannot avoid suggesting, whether, under a full view of all the circumstances, it may not be the duty of parliament to turn its immediate attention to the ruinous consequences which must follow an unlimited importation and free sale of the surplus produce of the whole agricultural world, which is known at this time to be in a state of glut, at least equal to what prevails within this kingdom, no less impatient for, and unprovided with a market, with a commodity raised at much less charge than our own, which the proprietors would be ready to sell even at a considerable loss, rather than not dispose of it at all. The excessive inconvenience and impolicy of our present system have been so fully treated, and so satisfactorily exposed in the report already alluded to (pages 10 and 12), that it is unnecessary to do more than refer to: adding only, that every thing which has happened subsequent to the presentation of that report, as well as all our experience since 1815, has more and more tended to demonstrate how little reliance can be placed upon a regulation which contains an absolute prohibition up to a certain price, and an unlimited competition beyond that price; which, so far from affording steadiness to our market, may at one time reduce prices already too low still lower than they might have been even under a free trade, and, at another, unnecessarily enhance prices already too high; which tends to aggravate the evils of scarcity, and render more severe the depression of prices from abundance. The mode in

which these excessive inconveniences, may receive some modification (laying for the present out of the question what permanent basis may be ultimately the fittest for our corn trade) appears to consist in the imposition of a duty upon all foreign corn, whenever upon opening our ports it should be admissible for home consumption. The occupier of the land would thus obtain, in proportion to the amount of such duty, a protection which is withheld from him under the existing law; but in return for such protection, it is no more than reasonable towards the consumer that the import price should be fixed at a rate somewhat lower than 80*s.*, because the new duty would otherwise not only check the sudden and overwhelming amount of import, but also enhance the price beyond that which it might reach under the present system; nor must it be lost sight of in any future regulation, that owing to the great alteration in our currency, 80*s.* may and do now represent a different and considerably higher value than in 1815, as measured by the price of all articles of consumption.

Should parliament decide to legislate during the present session, your Committee would recommend, that after our wheat shall have reached 80*s.* whenever circumstances, not now to be foreseen, may have effected so great a change, a lower price may be assumed for the future import, subject to a duty. When the importers know that their grain can in no case come into the market without paying a certain sum as duty, besides the charges of importation, warehousing, and other incidental expenses, they will be less ready to adventure rashly than under an entirely free trade; they will also withdraw their corn, which may be lodged in warehouses gradually, and with more circumspection than they do at present, and will naturally endeavour to feed the market rather than inundate it. It is now their interest to take their whole stock, immense as it may be, at once from under the king's lock; but when they must pay duty for every quarter which is removed, they will prudently calculate the time that any large stock will remain on hand before they can dispose of it to advantage.

The foundation of any future bill should be the principle of so far modifying the operation of the existing law as to obviate, as far as may be, by the imposition of reasonable duties upon the admission of foreign grain for home consumption, the sudden and irregular manner in which such foreign grain may now be introduced upon the opening of the ports under circumstances inconsistent with the spirit and intentions of the law. For carrying this purpose into effect, it would be expedient, after the ports shall have opened at 80*s.* (subject to a scale of duty hereafter to be fixed), to preserve the principle of an import price at a rate somewhat lower than the existing import price of 80*s.*, and your Committee are of opinion that 70*s.* would not be an improper limit to assign to that price. That a duty of from 12*s.* to 15*s.* should be imposed upon foreign wheat for home consumption when the price is from 70*s.* to 80*s.* Also that a duty of 5*s.* should be imposed upon such wheat, when the price is from 80*s.* to 85*s.*; after which the duty should be reduced to 1*s.* And that a further additional duty of 5*s.* should be imposed upon wheat imported or taken out of warehouse for home consumption, for the first three months after the ports open, and when the price is from 70*s.* to 85. And for the purpose of rectifying the scale which governs the import, the general proportion which the price of oats bears to the price of wheat, appearing to exceed the proportion which was assumed to exist, when 27*s.* was fixed as the import price of oats, your Committee suggest, that it would be expedient to increase that price, so as to bear a more accurate proportion to the price of wheat. The scale at which barley is estimated appearing to be more correct than that of oats, the same proportion which it now bears to wheat, appears fit to continue, under any future alteration of the import price. The 6th, 7th, 8th, and 9th clauses of the act, which regulates the importation of corn, make provision for admitting corn, meal, or flour, being the growth, produce, or manufacture of any British colony or plantation in North America, for home consumption, when British wheat is at a lower price than 80*s.*; with regard to which colonies, it will be consistent with good faith and sound policy to preserve the same relative preference above foreign corn, in the event of any future alteration being applied to the scale of prices or of duties.

In compliance with an application made to them by several of the owners of the foreign grain now stored in warehouses, your Committee have already recom-

mended, that permission may be granted under sufficient and adequate regulations, to convert it into flour, and export it in that shape, by which means some portion of this large stock will be carried out of the kingdom, and remove all apprehension that the quantities so ground down can ever enter into competition with our home produce; but in the event of a large portion not being thus disposed of, and still remaining in store, it appears practicable to adopt a method which may render this remainder also advantageous, rather than detrimental, in its effect upon the value of British corn, whenever the average price of our wheat shall have risen to 70*s*. and fluctuate between 70*s*. and 80*s*.; for if it be then allowed to be taken out for home consumption, subject to a duty of 17*s*. per quarter, for the first three months, and afterwards to a duty of 12*s*., the interest of the proprietors of this grain will be brought strictly into unison with that of the British agriculturist, and into direct hostility to that of all other importers of foreign grain; so that every endeavour will be resorted to, on their part, to advance the price to 70*s*. that they may liberate their own stock; but to keep it below 80*s*. that they may exclude all foreign competitors. The equitable claim which the holders of the grain, already deposited under the act of the 55th of the late king, appear to possess, will thus be beneficially preserved to them, and the danger of an immense influx of foreign produce will be mitigated and deferred, if not wholly prevented. It must of course be left optional to the proprietors in question, to avail themselves of this permission, or to abide by the conditions of the existing law, under which they imported; but in the first case, the payment of a moderate duty will enable them, at an earlier period, to enter a market over which they may exercise some control, conjointly with all the dealers in British corn; while in the other they can hardly expect to stem the torrent of foreign produce poured in upon our existing supply, and the immediate depression of value which must unavoidably accompany it. If the circumstances of this country should hereafter allow the trade in corn to be permanently settled upon a footing constantly open to all the world, but subject to such a fixed and uniform duty as might compensate to the British grower the difference of expense at which his corn can be raised and brought to market, together with the fair rate of profit upon the capital employed, compared with the expense of production, and other charges attending corn grown and imported from abroad, such a system would in many respects be preferable to any modification of regulations depending upon average prices, with an ascending and descending scale of duties; because it would prevent the effects of combination and speculation, in endeavouring to raise or depress those averages, and render immaterial those inaccuracies which, from management or negligence, have occasionally produced, and may again produce, such mischievous effects upon our market; but your Committee rather look forward to such a system as fit to keep in view for the ultimate tendency of our law, than as practicable within any short or definite period. A protecting duty which might at this day be hardly sufficient to guard our home market from the most overwhelming competition, might, when the excessive abundance on the continent shall have been absorbed, operate against the real wants of this kingdom, and subject the growers, as well as the consumers to the greatest inconveniences. Years of dearth may again make it indispensable to have recourse to foreign produce for a part of our supply, although in seasons of ordinary plenty it may be hoped that our own agriculture has been so improved and extended, as to secure this kingdom from a state of dependence upon other, and eventually hostile, territories for the subsistence of its population.

Your Committee have felt it their duty, for obvious reasons, to lay without further delay before the House, the result of their deliberations; but they would consider that they had omitted a most material part of the task imposed upon them, if they neglected to inquire into the present system upon which foreign corn is warehoused. Your Committee are now engaged in carefully investigating this important subject, and they will not fail to report the result to the House as early as the nature of their inquiry will permit.

April 1, 1822.

Colonial Trade Bill.] The House having resolved itself into a committee of the whole House on the Colonial Trade Acts,

Mr. *Robinson* rose and said :*

* From the original edition printed for Hatchard and Son.

Mr. Brogden; before I proceed to submit to the Committee the proposition with which I shall conclude, I am anxious to state that I am not about to propose any thing, in the present stage of the business, which can pledge any individual as to the ultimate course which he may think it right to pursue. The forms of the House require that all questions relating to commerce should be first opened in a committee; and I shall do nothing more, at present, than move that the chairman be directed to ask for leave to bring in two bills for regulating the trade of the colonies. But, although the question, in its present shape, is to be considered as merely technical and formal, I feel it, nevertheless, to be my duty to submit to the committee a full explanation of the nature of the proposed bills. I fear that in doing so, I may be under the necesssity of troubling the committee at greater length than it may be agreeable to them to listen to me: but, considering the great importance of the subject, as affecting the interests of our commerce and our navigation, it is most material that, before I state the alterations of the law which I wish to recommend, I should endeavour distinctly to explain the nature, the extent, and the effects of the law as it now exists. I am the more anxious to do this, because I am well aware that any one who proposes to alter in any degree, that which is understood to be the ancient policy of our. navigation laws, is considered as touching that which is too sacred to be meddled with, and which cannot be so touched without risking the best interests and the security of the state. I trust, however, that I shall be able to show, even to the most timid and jealous supporters of our former colonial policy, that if we attentively consider the present state of the laws upon this subject, the change which I am about to recommend (however it may depart from the more ancient policy and practice of the law) involves a much less material departure from its actual condition, than many gentlemen may at first sight be disposed to imagine.

The original principle of the navigation law, as it applied to our colonies, restricted them to a direct trade with the mother country, compelling them to concentrate their produce here, and to derive their supplies from hence. But in most of its essential particulars, this principle has been entirely abandoned in respect to many, and greatly modified in respect to the remainder of our foreign possessions. If we look to the dominions of England in the Eastern Hemisphere, we shall find, that however wise or beneficial the restrictive system may have been in its original adoption (and I by no means question either its abstract wisdom, or its practical utility at that period of our history), it has, nevertheless, in that quarter of the world, been entirely and systematically abandoned. The trade of Ceylon, of the Mauritius, of the Cape of Good Hope, is at this moment comparatively free: the trade of the East India Company's territories has never been shackled by the peculiar restrictions of the Navigation laws, and in our own days has received great additional freedom and extension: we have not deemed it prudent, or even practicable to apply to possessions of such vast extent, such a dense population, such abundant resources, such facilities for active commerce, and such means of circulating and promoting wealth, a principle of systematic restraint.—And who will say that the interests of either of commerce or of navigation have suffered; or rather who will deny that they have materially benefited by the freedom which they have thus enjoyed?

But even if we look to the Western Hemisphere to which the present question more immediately applies, and if we examine the laws which now regulate its commerce, even there the committee will perceive that the rigid application of our ancient colonial policy is no longer in existence. The relaxation may have been the result of accident and circumstances, rather than of design; but it is sufficient for my argument to show that the change has actually taken place. So far from our West Indian and North American colonies being hermetically sealed against foreign commerce, there is scarcely one which has not a free port open by the act of 1805, and various subsequent laws, to the importation of foreign produce in foreign ships:—The articles which may be thus imported, comprise almost all the productions of the Spanish and Portuguese colonies, calculated for the markets of this this country, as well as various other articles, the produce of the United States, most essential to the successful cultivation of our colonial soils, and the comfortable maintenance of our colonial population. Foreign vessels are allowed, on the other hand, to export from the same free ports, not only various productions of our colo-

nies, but almost every species of manufacture which the ingenuity of our native artisans can supply for foreign consumption.

But there is another branch of the colonial trade, to which it is peculiarly important to advert—I mean that with the United States.

Previous to the independence of that extensive country, the sugar colonies in the West Indies found there a beneficial market for their own produce, and a ready means of supply for their immediate wants; the lumber, the corn, the flour of North America was exchangeable for the sugar, the rum, the molasses, the coffee of the West Indies; and when the independence of the United States put an end to that intercourse, and brought the rigid principle of the colonial system into operation, parliament soon found the necessity of its relaxation, and accordingly, in the year 1788, an act was passed, which renewed this intercourse as a measure of indispensable necessity. It is true, indeed, that it was restricted to British shipping; but even in that respect one qualification was admitted, inasmuch as American vessels were allowed to come in ballast to Turk's Island, for the purpose of taking salt, which was the staple commodity of that island. The war which ensued a few years afterwards, led by degrees to a more extensive freedom of intercourse. The wants of the colonies were at times of so pressing a nature, that the governors were induced, by absolute necessity, to take upon themselves the responsibility of issuing proclamations to authorise the admission of American as well as British vessels into this intercourse: and so satisfied was parliament of the urgency of the case, and the propriety of the relaxation, that acts of indemnity were constantly passed as matters of course, without the slightest hesitation or dissent. At length, in the year 1806, the system of relaxation was carried one step further, and his majesty in council was authorised, upon his view of the general necessity of the case, to allow the intercourse to be carried on in American ships: and finally, by various statutes passed at subsequent periods, a permanent permission was given to American vessels, to import into the island of Bermuda, and into the ports of Halifax and St. John's, in Nova Scotia, and New Brunswick, all the staple productions of the United states and to export all the staple productions of the West India Islands as well as British manufactures of every description.

Such being the present state of the law as respects that quarter of the globe, let us now look to the intercourse which these colonies may carry on with Europe. This trade is confined to British ships, but it nevertheless involves a material departure from the principle of the navigation laws. It has now for some years been competent to British vessels to convey the produce of our colonies to any port South of Cape Finisterre, and to take back (in the same vessel) various articles of importance for the consumption of the colonies: this relaxation has been still further extended with regard to the island of Malta, and the port of Gibraltar.

Looking, then, to the operation of all these laws, to which I have referred, and comparing them with that system from which they have diverged, I think I have established, as an undeniable proposition, that in the Western as well as in the Eastern Hemisphere, the lapse of time and the change of circumstances, has already effected a most material and substantial alteration in our policy; and I cannot but be persuaded that the committee will feel with me, that the extension which I propose to give to that alteration, and which I am now about to explain, may be considered as an almost necessary consequence of what has already been done.

I propose then, in the first place, to repeal the various laws which now regulate our colonial trade, and which, having been passed at different times, and with different objects, are not only intricate and confused, but in no small degree contradictory. The whole system might then be comprised in two laws, one relating to the intercourse of our colonies with America, and the other to their intercourse with the rest of the world: and this alteration would, at all events, have the advantage of simplicity and clearness.

The next step would be, to provide for the intercourse which it would be adviseable hereafter to permit as the permanent system of the country.—And first, with respect to America, I would propose to enact, that British vessels, as well as those belonging to countries in America, either continental or insular, and belonging either to European sovereigns, or to Independent American States, should be allowed to import into certain free ports, to be named in the new act, all those

articles which may now by law be imported into any of our colonies in that part of the world; the export would also be permitted from the same ports, in similar vessels, of all articles, the produce of the British dominions, and of all articles legally imported into the British colonies. It should, I conceive, be rendered competent to his majesty in council, to add, by order in council, both to the ports, and to the list of articles, so allowed to be the object of the intercourse. I am satisfied that the committee will feel with me, that the foreign ships, to which this participation in the trade may be extended, should be precisely upon the same footing, as to duties and charges, as those of our own country; because it is obvious that if we were to attempt to impose upon them any distinct or additional burthens, we should only be inviting foreign governments to apply corresponding restrictions and charges to our own shipping. In order, however, to ensure a due reciprocity on the part of other states, in this intercourse, care should be taken in the new law, that its provisions should not apply to the vessels of any foreign states, which did not admit British vessels to equal and reciprocal advantages in their ports.

I must here, however, refer to a matter, which appears to me to be of considerable importance, and to deserve the particular attention of the House—I allude to the effect which the proposed measure may have upon the commerce now carried on between our West India and North American colonies. Every one knows that the staple articles of produce in the latter are similar to those of the United States; and recent circumstances, arising out of our restrictions on the one hand, and retaliatory restrictions by the United States on the other, have led to a much more extended import of corn, flour, and lumber from Canada, Nova Scotia, and New Brunswick, than otherwise would have taken place.—This trade will necessarily be more or less affected by the proposed changes; and I confess that I do feel that our North American colonists have strong claims upon us for a favourable consideration of their peculiar interests. Speaking the same language, living under the same laws as ourselves, distinguished by the same characteristic traits as their European brethren, they have secured, by their attachment to their mother country, a title to her gratitude and protection. That protection can, in this instance, be afforded to them in no other way than by imposing a moderate duty upon the importation into the West Indies, of those foreign articles, such as grain, flour, and lumber, which are equally the production of our own dominions. I shall not now trouble the committee, by going into any details upon this part of the subject, farther than to state that the duties should be so moderately calculated, and so justly apportioned, as not to deprive the people of the United States, of their fair proportion of this necessary supply, or seriously to enhance the price to the consumer.

I now come to the intercourse between our colonies and other parts of the world, exclusive of America. This intercourse I would confine to British ships; but I would allow the direct importation into the colonies of all articles which, under the existing system, may be legally imported there through the indirect channel of the mother country, or through Malta and Gibraltar, or the other places in Europe, with which a limited trade is now allowed; and instead of requiring that the different productions of our colonies should, as a general principle of policy, reach foreign markets, through the sole medium of the United Kingdom, I would permit them to be conveyed at once from the place of their growth to that of their ultimate consumption.

This is the general outline of the new arrangements which, I trust, the House will be disposed to adopt; and I am satisfied that those who have followed me in the detail of the existing laws, and have compared them with the proposed modifications, will admit that I was correct, when I stated, at the outset, that a much less extensive change will be effected, than many persons might at first sight be disposed to apprehend. They will have observed, for instance, that, with respect to foreign produce and foreign vessels, Spanish, Portuguese, and other foreign ships already have liberty to enter certain of our harbours, either to bring or to take away a great variety of important articles; that the ships of the United States may already convey their own produce directly to some of our possessions, and carry our produce directly from thence; that the corn and flour of that country may reach all the British possessions, through other European colonies, entirely in foreign ships; and that my proposition is in truth simply this—to substitute a direct inter-

course for one which is circuitous, dilatory, and expensive.

Having thus explained to the committee the nature of the proposition which I intend to submit to them, it is now my duty to state the grounds upon which I wish to rest the propriety of these measures.

In the first place, I must again call the attention of the committee to the provisions of the Free Port act of 1805; and particularly to that part of it which limits the trade to countries which are under the dominion of some foreign European sovereign or state. No one who has watched the progress of the events which, in the few last years, have occurred in America, and who has reflected upon the causes which have led to those events, can say how soon the situation of those extensive regions may be totally changed, and how soon they may be emancipated from all dependence upon their former masters. The termination, then, of European sovereignty would, *ipso facto*, terminate the free port trade. But I apprehend that no one would be disposed to contend, that the independence of those states would constitute a reason for again imposing upon our colonies those shackles, which so many motives had induced us to remove. Assuming, therefore, that the free port laws would be suffered to continue in full operation, the committee will see that the continuance of them, under these altered circumstances, would necessarily involve the adoption of a new principle of very great importance in the whole of this question—I mean the systematic admission of the flags of foreign *independent* States in America into the ports of our colonies. But if this principle be admitted with respect to *one* independent American state, how could we refuse it to *another*, if such other state were equally ready to give to us a reciprocity in its own ports? Could we, upon any principle of policy or prudence, make so marked a distinction in our system, as to say to the Brazils, to Columbia, to Mexico, "You shall be admitted;" and to the United States, "You shall be excluded!" Surely such a course would be unwise in the highest degree, leading to every species of jealousy, ill-will, and irritation, and tending obviously to interrupt, or at least to weaken, the harmony which now so happily subsists between us. It never can, in my judgment, be prudent for this country to make distinctions of this sort. We ought rather so to frame our regulations in commerce, as to show to all nations that justice, equity, and impartiality, are the ruling principles of our conduct.

I am now desirous of calling the attention of the committee to the mode in which this question is affected by the actual state of foreign possessions in the western world. In former times, the policy of all the European possessors of distant territories led them to the establishment, and to the maintenance of restrictions as rigid as our own. But the force of events, and the imperceptible lapse of time, have effected a complete change in that state of things. In spite of the laws, the wishes, and the prejudices both of Portugal and Spain, the two productive colonies of Brazil and Cuba are, at this moment, practically open to a free trade with foreign nations; and it cannot be imagined for a moment, that any external force could again bring them within their ancient limitations. It is in these two colonies that are furnished the most abundant supplies of all the valuable productions of a tropical climate. They supply their own wants from every place from whence they can most readily be satisfied, and they freely pour their own abundance into every channel which can convey it to the markets where it is required. Why, then, are we voluntarily to deprive ourselves of the means of meeting them in fair competition? Why are we to clog our operations in colonial commerce with an expensive mode of supply for our wants, and a restricted market for our produce?

But, Sir, there is another topic connected with this branch of the subject, upon which I feel particularly anxious to say a few words—I mean the question of the slave trade. England has, in defiance of old prejudices, and in opposition to the personal interests of many, manfully, honestly, and (as far as she is concerned) effectually abolished that unhallowed traffic: she has raised up an imperishable monument to Christian benevolence and national honour; she has endeavoured, by every exertion of diplomatic talent, and by great pecuniary sacrifices, to lead other states into the same humane and honourable course. In some respects her efforts have not been unsuccessful: but we all know how lamentably deficient has, hitherto, been the execution, by Spain and Portugal, of those promises which were at one time held out to us by the governments of those countries. We know that at this moment incessant supplies of fresh slaves are an-

nually poured into Cuba and the Brazils; we know the facility which these supplies give to the extended cultivation of those fertile soils: we know that the sugar of the Brazils and Cuba, thus raised through the medium of an unlimited importation of new slaves, at a cheaper rate than it can now be in our own colonies, goes direct to the most lucrative markets in Europe, to rival and to undersell the produce of that very nation by which the slave trade has been abolished. What I ask, then, for the British colonies is, that they should be placed upon a footing of equality in this respect, and I am confident that I ask nothing but what is reasonable, just, and wise.

Looking, then, at all these combined considerations, to the relaxation of our colonial policy which has already taken place, and to the manifest advantages which we have derived from it—looking to the actual practice of other states; and looking, lastly, to the connexion of all these matters with the question of the slave trade, I think there may be deduced unanswerable arguments for the farther change which I have ventured to recommend.

It may, however, be asked, Why I would take the present moment for effecting this object? Why now provide regulations to meet what may be a distant contingency? Why not wait for the actual independence of the foreign colonies to which allusion has been made? To this I answer shortly, "Look at the state of distress which prevails in our islands." I will not trouble the committee by endeavouring to prove the existence of that distress, by statements of figures, and details of calculation:—it can neither be denied nor doubted. It is well known, that whilst, from a variety of causes, the produce of the British colonies has greatly increased, it has not been absorbed by a corresponding increase of consumption either at home or abroad. What, then, is the obvious remedy? Either a diminution of produce, or an extension of market. The former alternative cannot be contemplated without the most serious alarm, both as respects the proprietor of the estates, and the slaves of whom he ought to be, and I trust is, the generous protector. Ruin the proprietor, and you expose his unfortunate slaves to the horrors of famine, and every aggravation of his unhappy condition. Open, if you can, new markets for his produce, and you give him the best chance of retrieving his shattered fortunes, and of maintaining his negro dependents in comparative ease and comfort. The planter and the slave have a common interest in the success of my propositions.

Still, however, it may be urged against me, that I anticipate too much benefit from the intended relaxation:—"The markets of the world are overstocked;" "no new vent can be found;" "all will end in disappointment, and increased distress." This, however, is nothing more than the common argument in favour of all monopolies, and against all relaxation of commercial fetters. It might, indeed, be easy to show by figures, and by documents, that this or that particular market would not offer much prospect of immediate advantage, not at least so much as might be conformable to the eager wishes of those who are suffering from distress: but surely this sort of reasoning is founded upon a very erroneous and contracted view of the subject. Those who have studied the history of commerce, who have watched its expansive and penetrating qualities, its imperceptible, but almost equally certain tendency to increase, are well aware that when its chains are once broken, there is no calculating to what an extent it may ultimately be carried. I know not, Sir, that I can better illustrate what I mean, than by availing myself of the language which a great poet has applied to the qualities of the soul of man. In combating the opinion that climate as an over-ruling influence over the power of the mind, he says—

——"What seasons can control,
What fancied zone can circumscribe the soul?
Who conscious of the source from whence she
springs,
By Reason's light, on Resolution's wings,
Spite of her frail companion, dauntless goes,
O'er Lybia's deserts, and through Zembla's
snows."

This language, beautiful and poetical as it is, as applied to the point which it was intended by the poet to illustrate, becomes the veriest prose when applied to the spirit of commerce. Give it but the light of reason for its guide, and enterprise will never be wanting to convey it to every quarter of the globe. Confident, then, that the measure which I have recommended, rests upon sound principles—confident that it is calculated to promote the trade, and thereby necessa-

rily to extend the navigation of the country—I beg to move the two following Resolutions:—

1. "That the chairman be directed to ask for leave to bring in a bill to regulate the trade between his majesty's possessions in America and the West Indies, and other places in America and the West Indies.

2. That the chairman be directed to ask for leave to bring in a bill to regulate the trade between his majesty's possessions in America and the West Indies, and other parts of the World, exclusive of America and the West Indies."

Mr. *Wilberforce* complimented the right hon. gentleman upon the steady support which he had given to the abolition of the slave trade, but feared that the bills proposed to be introduced would, by increasing the intercourse of our colonies with other nations, facilitate the illicit importation of slaves. The hon. gentleman also adverted to the system of registry devised as a security against the introduction of new Negroes into our islands. In Trinidad, he believed it was carried fully into effect, but in many of our islands, and in the principal one, Jamaica, it was in a very limited degree attended to.

Mr. *Barham* did not believe, that the measure proposed would have the effect of introducing fresh slaves into the British colonies. The planters, indeed, must be mad who thought of importation at the present moment, for, so far from having money to buy new Negroes, they had not the means of supporting those already in their possession. He would support the bills, for he thought it absolutely necessary to do something for the relief of the colonial interest.

Mr. *Marryat* considered the measure as one of the greatest importance, not only with respect to its general object, the amelioration of trade, but also as it affected the Negroes. From the state in which their masters were at present, they were in extreme distress. The measure, therefore, whilst it went to save the masters from ruin, was also highly interesting to the slaves. The object of it was to place those who had abolished the slave-trade upon the same footing with those who had not. As a proof of the vast opening there was for an extended commerce emanating from the West Indian colonies, he had that morning seen a list of 575 ships engaged last year in that branch of trade. As to the navigation or any other interests, minor interests must give way to a system of great general good like this. One thing he thought had been left out of the plan of the right hon. gentleman, which was, a provision to permit the exportation of British goods from one West India island to another. This certainly called for a change. It frequently happened in consequence of this prohibition, that relief could not be afforded to a neighbouring colony in the greatest distress. Surely there ought to be no distinction made between islands, the inhabitants of which should all be considered as one family.

Mr. *Fowell Buxton* trusted, that the House would recollect a discussion which had taken place last session as to the importation of East India sugar. When it was proposed to permit the importation of East India sugar upon the same terms exacted on the importation of West India, the answer was, that as England monopolized the West India markets, compelling the colonies to buy and sell with her and with her only, therefore she was bound, as long as she maintained that monopoly, to admit no competitor into the market which she afforded. He hoped, that if the concession now proposed was made to the planters, the restriction upon the importation of East India sugar would be removed; for, certainly, all the sound principles of general commerce applied just as fully to the admission of East India sugar into this country as to the sale of West India in foreign markets. As regarded the condition of slaves, too, in our West India islands, he had farther objections beyond the inefficiency of the Registry-act; and he trusted that the present opportunity would be taken, to demand the correction of the objectionable practices, in return for advantages bestowed. One most important point necessary to the happiness of slaves in our West India islands was, that they should become *adscripti glebæ*. The House did not know, perhaps, that under the present system the slave was nothing more than a chattel. A man might be born on a plantation, grow up, build a house, marry a wife, and have a family; and after all, without the slightest offence committed, or even imputed, be sold by his master, and transferred from his house, wife, and family, to the most distant island in the British possession. [Cries of "no, no."] If not to the new colonies, then, he might at all events be

transferred to any one of the old islands, and that was sufficient for his argument. This practice was an injustice, as gross and as enormous as the slave-trade itself had been; and the present moment of concession ought to be seized for getting rid of it. There were other matters as to which alteration was important—the judicial system, the law as to marriages of slaves, and other regulations. He hoped if the bills proposed were passed, that the adoption of a better course would be insisted on.

Mr. *Huskisson* denied that any thing like exclusive advantage was intended to the colonies by the arrangement contemplated. The case had been opened by his right hon. friend as a broad question of commercial policy. The advantage projected was to all—to the navigation, to the mother country, and to the West India possessions. The right hon. gentleman then touched upon the effect of the proposed bills as applying to the slave trade, and denied that any facility would be created by the free intercourse greater than that which already existed. What had of late years afforded so much encouragement to the slave-trade, as that intercourse which, through the mistaken policy of the British government, had gone on extending itself between the United States and Cuba, as well as the Brazils? Had the British West India islands been at liberty to export their produce to all the northern parts of America, we should not have found the people of this latter country deriving all their supplies of certain articles, from the colonies of other European states, which were thereby induced to enlarge their cultivation, and to import an additional number of slaves. The same cause had operated to increase the distress and difficulties of our planters, and indirectly to spread the horrors of the detestable traffic which all our old and respectable colonists, wished to see finally abolished. We might form some notion of the benefit that would have resulted to the West Indies from an open trade with North America, supposing that in the existing superfluity of our own produce a new foreign market was discovered for it. The hon. gentleman who spoke before him seemed to intimate his dissent from this part of his argument, and had already remarked, that much of the evil was to be traced to our impolitic acquisition of too many colonies during the last war. But, admitting this to be the fact, what could be inferred from it, except that it helped to furnish an irresistible case for the planter in the older West India colonies? Here was ground enough, in justice to him, for relaxing our laws, particularly as respected East India sugars. The views under which ministers were disposed to proceed did not imply a sudden or entire departure from our former system, bad as it might be, but such a modification, as, it was hoped, would accomplish gradually the desired end, with as little individual hardship, or disturbance of existing interests, as was possible. When they reflected on the history of our West India islands, they must all feel it to be a serious obligation imposed on them, so to shape our general policy as to confer upon those islands as many advantages as were consistent with our own interests in Europe. The ancient system of this country was, above all things, to encourage and promote the slave trade, and the increase of our colonies was regarded as a subordinate object. It was in this point of view that our ancestors looked upon the West Indies, and although we of this age had happily regarded the African slave-trade as wholly inconsistent with humanity and religion, it once was unquestionably fostered with especial care. This was demonstrated by the whole course of our commercial policy—by bounties, by treaties, by the variety of sacrifices which could have had no other end than to exclude neighbouring countries from any participation of the guilty traffic. He now anxiously hoped to see a different course adopted, and that parliament would proceed to enable the masters in our colonies to treat their slaves in the way which he was satisfied would be most congenial to their own feelings. Supposing that cheaper sugar might be imported from the East Indies—and he was far from believing that a state of slavery was the fittest for rendering labour cheap—yet undoubtedly there were circumstances which would otherwise, from the extreme cheapness of labour in the east, extinguish all competition on the part of the West Indies. From a principle of justice, therefore, and in order to induce the masters to afford protection to the unfortunate beings committed to their care, we were bound to favour them, and extend towards them a beneficent and liberal policy. They had a certain population to support, at all events, and whether their foreign trade was more or less

restricted. The hon. member for Bramber had reminded them that the same difficulties and pressure existed at this moment in the mother country; but the case was far from being precisely similar; and people here would feel themselves much more deeply aggrieved if there were open markets on the continent which they were not permitted to supply. His hon. friend must allow, that the existence of such a demand with the perfect freedom of supplying it, would administer a very great relief, and that of this relief our West India planters were deprived. He could perceive no solid reason for objecting to the proposed measure. Every argument founded on humanity alone, certainly appeared to him to be in favour of, not in opposition to, it. He should merely add, that he considered the proposed measure as not less a boon to the mother country, than to her colonies. He should be sorry to find the subject mixed up with other questions of great difficulty and delicacy, and which even those who touched on them did not wish to force into immediate discussion.

Mr. *Plummer* expressed his satisfaction at the introduction of the measure, and read some parts of a letter to prove that the West India colonies were, together with distress, threatened with a famine.

Mr. *Evans* thought that some positive regulations should be made to prevent the importation of fresh slaves.

Mr. *W. Smith* said, that the present race of West India planters seemed to be influenced by views so different from those of their predecessors, and the question now before them involved merits so distinct, that he was unwilling to throw the least impediment in its way. Whatever was consistent with the welfare or interests of this country, he was disposed to concede. He feared, however, that the new system could only be established at our expense; and it could not be disputed that the distress at home was equally great with the distress in the colonies.

Mr. *Philips* hoped, that the consideration of no individual interests would be permitted to interfere with a measure which was consistent with the soundest principles of commercial policy and justice. He was convinced that by the operation of this measure a stop would be put to the continuance of the slave trade.

Mr. *Bright* was of opinion that Canada ought to have the advantage of the proposed measure. It was unwise to throw difficulties in the way of this measure, which was calculated to give a blow to the remains of the slave trade, and by the progression of civilization to confer the highest benefits on the slaves of the West India colonies.

Mr. *Butterworth* supported the general principle, and believed it would tend to promote an effectual abolition.

The resolutions were agreed to; and leave was given to bring in the two bills.

MISCELLANEOUS ESTIMATES—SECRET SERVICE MONEY.] The House resolved itself into a committee of supply. On the resolution, "That 40,000*l.* be granted for his majesty's foreign and other secret services, for the year 1822,"

Mr. *Hume* wished to know why the sum was so large in time of peace? He could not see for what purpose this large sum was wanted; certainly it could be for no good purpose. It was giving ministers the means of doing harm. If the money was properly disposed of, they would not be afraid to let the public know how it was applied. He believed the vote was but 15 or 20,000*l.* before the late war.

The Marquis of *Londonderry* said, if the hon. member wished to know the amount expended under this head in former years, he might have an account of the expenditure in each year for the last eleven years; but if he wished to know the particular details of how it was expended, it was rather an Irish proposition, for it would then be secret service money no longer. The hon. member would find that Mr. Burke had not dissented from the principle of the grant for secret services, but, on the contrary, had admitted it to be necessary for carrying on the government. With respect to the present grant, he could state, that the greater part he believed 21,000*l.*, arose out of the late war, and was not referable to a state of peace.

Mr. *Hume* did not deny the principle of secret service money, but was anxious to know what quantum of the present grant was given to particular persons. The noble lord had last year stated, that the expence of a part of the proceedings against her late majesty, namely the Milan commission, was defrayed out of the secret service money. This appeared to be an application of the fund which never could have been contemplated by parliament.

The Marquis of *Londonderry* said the principle of the expenditure was in cases where the honour and interest of the country were concerned, and in the case mentioned it would not be contended that the honour of the country was not concerned. Parliament had so considered it last year; but when it ceased to be a secret service the money required was openly paid to the solicitor employed.

Mr. *Hobhouse* said, that the secret service money voted last year was 25,000*l.*; this year it was 40,000*l.*; and yet, last year, the expence of the Milan commission had been defrayed out of the fund. He was at a loss to understand why, when the country was at peace, so large an expence was necessary. If the name and the power of this country were not sufficient to maintain her influence at foreign courts, the underhand application of bribery could not be of much avail. As to the authority of Mr. Burke, he could quote sentiments from that writer in support of every line of policy, however contradictory.

The Marquis of *Londonderry* said, it was not to be supposed that precisely the same sum would every year be necessary for this service. The hon. member was not justified in using the term bribery, as applicable to the present question.

Mr. *Hobhouse* did not mean to impute bribery in the grossest sense of the word; but the noble marquis was too well acquainted with foreign courts not to know that if he wished to preserve a particular influence, we must fight with silver spears.

Mr. *Arbuthnot* said, that a smaller sum had last year been voted, because a considerable portion of the grant of the preceeding year remained unexpended.

The resolution was then agreed to.

On the resolution, "That 78,794*l.* be granted for Contingent Expences and Messengers Bills in the Departments of the Treasury, three Secretaries of State, Privy Council, and lord Chamberlain, for the year 1822,"

Mr. *Hume* objected to the enormous proportion of charge, under the head of the foreign secretary of state's department amounting alone to 30,000*l.* Some explanation ought to be given of the manner in which this charge had accrued: nor did he see any thing to warrant the charge under the head of the lord chamberlain's department.

The Marquis of *Londonderry* said, that the charge in the foreign secretaries department arose out of the extensive correspondence which it was compelled to carry on. The fact was, that though the hon. gentleman opposite contended that we possessed so little influence on the continent, no political business of importance was transacted in any European court, without the government of this country being communicated with.

Mr. *G. Bennet* moved to reduce this sum of 10,000*l.* He felt the less hesitation in proposing this amendment, because a great part of the vote was not for the compensatien of services already performed, but an estimate of expenses to be hereafter incurred.

The committee divided: For the Amendment 19. Against it 67.

List of the Minority.

Barrett, S. M.	Martin, J.
Bernal, R.	Maule, hon. W.
Bright, H.	Palmer, C. F.
Calvert, N.	Robarts, A.
Colburne, C.	Robarts, col.
Hobhouse, J. C.	Robinson, sir G.
Hume, J.	Smith, W.
James, W.	Whitbread, S.
Lushington, Dr.	TELLER.
Moore, P.	Bennet, hon. H. G.
Monck, J. B.	

The resolution was agreed to, and the House resumed.

HOUSE OF COMMONS.

Tuesday, April 2.

BREAD.] Mr. *Calvert* rose to move for leave to bring in a bill to reduce into one act all the regulations respecting bakers and sellers of bread, within ten miles of the Royal Exchange. He observed that the last act on this subject had been found ineffectual in affording protection to the public; but he was of opinion that there were two ways in which perhaps, that object might be accomplished—the one by the sale of bread, like any other article, by the pound; and the other by the sale of it by the price, that is, in loaves of the value of 1*s.*, 6*d.*, 9*d.*, and so on. The sale of it by the pound, however, would not prevent its adulteration, and a pamphlet had recently been put into his hand, from which it appeared that a great deal of marble powder was used by some of the London bakers in the composition of what they called bread. If bread were sold by the pound also, the public could not so immediately feel the benefit of a fall in the price of

grain and flour, as if it were sold by the price, when the smallest advance or fall would have its effect upon the size of the loaf. Very few persons knew what the weight of a loaf should be, or how that weight came to be fixed upon; he therefore begged to explain, that a sack of flour weighed 2½ cwt., and it was supposed to produce 347lbs. of bread: that divided, and again subdivided, gave the precise weight of the peck, half peck and quartern loaf. At present nobody thought of weighing a loaf, and a fraudulent baker therefore escaped detection. He concluded by moving for leave to bring in his bill.

Leave was given to bring in the bill.

Extra Post—Petition of Mr. Burgess.] Mr. *S. Wortley* moved to refer to a select committee the petition of Mr. Henry Burgess, praying for remuneration for the expences he had incurred in the place for an Extra Post.

Mr. *F. Palmer* said, he had distinctly understood from the chancellor of the exchequer, that there would be no cost to the country from the experiment. On that ground he had supported the bill for giving Mr. Burgess's plan a trial though he had never thought it could succeed. He was very much disappointed to find a claim for remuneration sanctioned by the right hon. gentleman.

The *Chancellor of the Exchequer* said, he certainly had stated that the experiment was to have been made at the sole charge of the projector; and if Mr. Burges had been allowed to make the trial, he should never have sanctioned any claim for remuneration; but when, after being induced to incur considerable expence by the decisions of the House, Mr. Burgess had been prevented from making his experiment by the bill being thrown out on the third reading, he thought the petitioner had a strong claim on the indulgence and compassion of the House.

Mr. *P. Moore* was opposed to the grant of any money, the effect of which could only be the encouragement of projectors.

Mr. *Calcraft* said, that if Mr. Burgess had any claim upon government for the encouragement given to him, ministers ought to have paid him the sum they thought due upon their own responsibility. He could not see in what way the House had given this individual any encouragement. If he chose to proceed with the experiment, after the rejection of the bill, he had done so for his own private advantage. The best course was to negative the motion for a committee at once without fostering hopes of remuneration that could never be realized.

Mr. *S. Wortley* said, that the claim was not for any expense incurred by Mr. Burgess after the bill had failed, but during the progress of it.

Mr. *N. Calvert* thought the Treasury were wise, not to turn a deaf ear to suggestions of improvement in a matter so important to commerce as the Post. The Mail Coach system had been at first as much opposed by the Post-Office as Mr. Burgess's plan. The petitioner should be allowed nothing that he did not prove a right to, but his claim should be inquired into.

Mr. *Ricardo* said, the ground on which the chancellor of the exchequer had put the case would have induced him to vote against the motion if he had known nothing else of it. The right hon. gentleman had called on them to accede to the motion as a matter of compassion or indulgence. Now, they were not entitled to vote away the public money from their own sentiments of compassion. If the Treasury had given Mr. Burgess encouragement to incur expence, they should take on themselves the responsibility of remunerating him.

Mr. *Marryat* said, there would be no end to projects if projectors were to be indemnified against failure at the public expence.

Sir *M. W. Ridley* contended, that if Mr. Burgess had a claim, there was no disappointed speculator who might not come to parliament for compensation.

Mr. *W. Smith* thought there was no extraordinary ingenuity in the plan which entitled it to the special notice of parliament. The plan appeared to involve nothing beyond the substitution of a two-wheeled for a four-wheeled carriage, and an attempt to increase the velocity of the vehicle.

The House divided: Ayes 28. Noes 36.

HOUSE OF COMMONS.

Wednesday, April 3.

Agricultural Distress.] Mr. *Benett*, of Wilts, presented a petition from the agriculturists of Wiltshire, complaining of distress, and praying for relief. The hon. gentleman, after dwelling on the im-

portance of the great body of agriculturists, and on the pressing distress under which they laboured, said, that throughout the country it had been expected that some measure of relief would have been brought forward in that House. With what feelings of regret and disappointment then must they have read the report which had been brought down a few nights since—a report which, in fact, proposed no remedy, and held out no hope of relief. No person was more convinced than himself that the soundest principles of political economy recommended a free trade; but, in the present unnatural state of this country, he did not think that they could immediately return to those sound principles. If the country could throw off its enormous load of debt, it might then return to the principle of a free trade; but until that were done, the restrictive system must continue, and the agricultural interest had as much right to derive benefit from it as the manufacturing or trading classes. By the removal of taxation only could the English farmer be enabled to compete with the grower of foreign corn. He was not an advocate for what were called high prices. It would be better for the farmer to obtain one shilling profit out of a bushel of corn sold at six shillings, than to derive the same remuneration from a bushel of corn sold at ten shillings; because, in the former case, the cost of production would be less, and the article would find a readier sale. He was convinced that the report of the agricultural committee would spread a feeling of disappointment throughout the country. Landlords would now say "We expected much from the committee—we have received nothing, and we are lost." He knew that this sort of language would be held in the country. He did not think that the situation of the country was so deplorable as some persons imagined; but he knew that great distress prevailed, and he thought that it was high time to look the state of things boldly in the face. He still hoped that some enlarged and important steps would be taken to save from absolute destruction the most laborious, the most valuable, and the most virtuous class in the country. He trusted that, even on the present occasion, the subject would not be suffered to drop without further observations, but that some of the friends who stood near him, more competent than himself, would take it up, that it might go forth to the country that the House was not altogether deaf to its complaints, or insensible to its distress.

Mr. *Ellice* said, he rose anxious to carry into effect what had been his intention on the presentation of the report the other evening, to call the attention of the public to the extraordinary propositions it contained, in the hope that a full expression of the feelings of the country would find their way to the House, after the holidays, on the subject. The noble marquis had, very properly, in his view of the case, then deprecated discussion, and he might do so still; but as there were two parties interested in the case, the distressed petitioners, whose prayers were uselessly, as it now appeared, and as he had anticipated at its appointment, referred to this committee, and ministers, it was fit the former should be fully aware of all the relief it was intended to extend to them. It suited government perfectly well to send the grievances of the people to a committee up stairs, upon whose report they could rely, while the House were busy in passing supplies, upon which a profuse expenditure could be continued, and that they might ride over this session like the preceding one, without the least practicable remedy being suggested or effected for the agricultural distress [Hear, hear!]. At last, however, they had the labours of this committee before them, and he for one would not consent to postpone an examination into the merits of the report, although it was difficult to deal with a composition, if he might use the term without disrespect to the members who composed the committee, so full of inconsistencies and absurdities. He could scarcely say whether its faults of commission or omission prevailed; but he was certain, if no other remedies or relief were practicable, or intended, than those which appeared on the face of the report, it would have been much better at the commencement of the session to have told the petitioners—"We feel your distress, but overloaded with debt and taxes, it is not in our power to relieve it." This would have been at least more candid and consistent than to have excited a hope, which would now be so grievously disappointed. On looking at the report, no other object appeared to engage the attention of the committee, than that which was impracticable, raising the price of corn, and although they had prudently abstained from assuming entirely the

doctrine of the noble lord, that the low price was to be ascribed to over-production, still it was assumed it had been occasioned, by forcing a supply on the market beyond the demand, to raise money for the purpose of meeting rents. Every person knew the fact was otherwise, the great supply at market was owing to that which must have occasioned it under any circumstances—the damaged state of the corn of last season; and to remedy this the committee wisely propose to advance money to enable the farmer to withhold produce from sale, which must otherwise rot in his granary. But this was only one of the propositions, pointing always to the same end. In what other light could the proposed alterations in the present law be viewed? Were they to mitigate or aggravate the evils it must necessarily produce, if its provisions unfortunately could ever come into operation? On a former discussion on this subject in last session he had maintained the doctrine which the committee now adopted with respect to the mischiefs likely to result from the provisions of the corn bill. He warned the agricultural gentlemen, of the danger of keeping up the importing price to 80, much more of raising it to 90 and 100 as was proposed—and precisely on the grounds on which their objection to the system was now founded—the danger of encouraging by an excessive price an importation far beyond the wants of the country, and which might depress the market for one or two years after it had taken place. The committee admit, in another part of their report, that it would be proper, in consequence of the alteration in the currency, to lower the import price from 80*s.* to 70*s.* Why then not do this; or, which was infinitely preferable, alter the whole principle of the corn laws, referring always to their admission, that the consumer ought not to be placed in a worse situation than under the former bill, with a fair allowance for the variation in the currency? But their intention was evident throughout, either to raise the price to the consumer, or to gain credit with the petitioners for doing that which was not within their power. He (Mr. Ellice) had always considered it impracticable to maintain higher proportionate prices in this country to those on the continent, than existed before the war; and the committee, if they had considered their object as much with reference to its practicability, as to its supposed expediency must have come to the same conclusion. [Hear, hear.] Unless, therefore, they expected prices of agricultural produce to rise generally throughout the world, it was hopeless to look for any advance in this country; and the House ought always to recollect, that the actual price now to the consumer was not to be estimated by the average price in the gazette. The average had been reduced by the great quantity of damaged corn he had already adverted to, and was now about 47*s.*, but the price of good sound bread corn in the great markets, was from 55*s.* to 58*s.* a price 20 per cent higher than that in any other country in the world. Indeed the price of bread in London was now actually double that in Paris. But this was not looked upon as a sufficient remuneration, and we must have recourse to further restrictions to increase the difference. How long, he would wish to ask some of the honourable members who composed this committee, did they expect this country to maintain its pre-eminence in trade and manufactures, after the price of provisions, and necessarily the value of labour, were doubled to those in other countries? But the attempt to do this was as idle as the proposition was absurd. Prices might decline, they could not advance, unless from those natural causes which could not be controlled [Hear!]. There was no possibility either of the former law, or the alterations proposed by the committeee, if confirmed by the House, coming into operation, and when they did, it would be time enough to judge how far their provisions could be carried into effect.—It was rather assuming too much to suppose, that the great body of consumers would be content to buy their food at double price, merely because it was produced in this country.—The only very correct statement in the report was, that it was impossible to carry protection beyond absolute exclusion of foreign corn. Under this absolute protection, the prices had not advanced, and he would undertake to predict the proposed amendment of the law would make no immediate alteration, if they did, it would be necessary from common justice to the general interests of the country, to revise them. He begged to be understood in what he had said, as not undervaluing, or feeling less than any other member, the extreme distress and pressing case of the peti-

tioners. He was satisfied nothing could exceed their sufferings—he would be the first to aid in any practicable measure for their relief, and he felt as much mortification and disappointment as they could at the result of the labours of the committee. So much he had said of what the committee had done—a few words on what they had omitted to do. It had never entered into their consideration to inquire into the causes of the distress, with a view to their removal, or how far they may have been produced or aggravated by the alteration in the currency, or taxation. Surely, at such a moment, with the pressure hourly increasing, it might have occurred to them to inquire, why the tenant, with the same price for his produce, could not even pay his former rent? Or how far the article of corn had declined in price beyond any other article of production, foreign and domestic [Hear, hear!]. The alteration and diminution in the currency, which the committee scarcely notices in a parenthesis, as applying to a particular point, might then have occurred to them. When the appointment of the committee was moved for, much discussion took place on this subject, and he (Mr. E.) would not now repeat the arguments and statements on which he founded his opinion, that the contraction of the currency was one of the main causes of the existing pressure not only on the agricultural, but any other productive interest of the state. Since that time, a further account was laid on the table, of the country Bank-notes stamped in last year, which had again decreased a half from the preceding year, and amounted only to 2¼ millions. Without assuming the quantity stamped as an exact index of that in circulation, could the House look at the progressive diminution, without being compelled to admit the erroneous impressions which had prevailed on this point? In 1814 the amount stamped was 11 millions; in 1816 it fell to 7; in 1818 it rose on the re-issue of the Bank of England advances to government, to 12, the highest point it had ever reached; in two years after it fell to 4½, and in the year ending Oct. 1821 to 2¼, and yet gentlemen found difficulty in admitting the true cause of great part of the present distress. There was an apparent obstinacy on this subject he could not comprehend, although he did not doubt all parties would soon be brought to concede what he had invariably contended for, that the price of gold had been a most defective index of the depreciation. Concurring in all the general principles of both bullion committees, he had ventured to recommend to the House to pause and consider all the consequences of the measure of 1819, before they absolutely decided upon it. He was perfectly aware of the beneficial results which had been stated by the right hon. gentleman (Mr. Peel) although these would only be temporary and until the price of labour adjusted itself to that of the necessaries of life, but he was equally certain, that unless the country was prepared to submit to a total revolution of property, it was in vain to expect contracts entered into in a depreciated currency could be fulfilled at the ancient standard, or the same amount of taxation borne on the diminished profits of a reduced capital. His opinions were then treated with little ceremony—they might be so now. He could not find one member then to second a proposition, merely that it might be recorded as his opinion on the Journals, that unless a reduction could be made on contracts and taxes simultaneously with the restoration of the standard, of at least a third, the standard would have been fixed with infinitely more justice to both debtor and creditor at 5*l.* 10*s.* than 3*l.* 17*s.* 10*d.* It was in vain now to talk of raising prices without a repeal of the bill of 1819, which he would never consent to, or to prevent an absolute revolution of property, as effectual, although more silent, than that which attended the convulsions in France, without a diminution of all contracts and taxes, to an extent equal to the alteration in the currency—what that was there were various opinions. He (Mr. E.) had never calculated it at less than a third to a half, many at more. One hon. friend (the member for Portarlington) from whom he differed most, had at last admitted, that from various causes it must be at least 10 to 12 per cent. The general calculation was 20 or 25 per cent, but he felt satisfied, from the disinclination which gentlemen had to admit their errors on this subject, the prevailing disposition was still to undervalue, rather than over-estimate the effects of the paper system. Still this was not a subject which gentlemen forming the committee, considered as worthy their attention, or what influence the contraction of the currency had upon the previously existing taxation as a concurrent measure

with the imposition of the additional 3 millions of taxes in 1819. He was not disposed entirely to overlook the other causes, to which part of the pressure on agriculture must be ascribed, but the alteration in the currency, the consequent aggravation of taxes and engagements, and diminution in value, in produce and rents appeared to him the main features in the case. He therefore blamed the committee for giving the go bye to these important questions and spending their time in devising useless nostrums to deceive and delude the public, instead of at once probing the evil to the bottom; and if they were not prepared to take more decided measures, at least advise that relief which the surplus revenue would enable them to grant temporarily to the country. If no person believed the suggestions of the committee would raise prices, they had the other alternative left of reducing expenses and taxation to the lowest possible amount, consistently with the due payment of interest on the public debt. That might arrest the progress of the evil, although he would candidly admit, in his view of the situation of the country, it could not cure it. The public creditor at least could not complain, and as little could the public pensioner or annuitant complain of some temporary reduction from their salaries to aid in giving relief. Nothing could probably so well illustrate the change which had taken place in the situation of parties as a reference to the last assessment of the property tax, in 1815. The rent of land was then assessed at 37 millions, from which deducting about a sixth for the interest of mortgages and other incumbrances, would leave 31 millions. The interest on the funded debt was 31—pensions and payments of this description 10 millions. Take the reduction of rents at, and it will be admitted it cannot be less ultimately than a third—deduct the same amount for burthens, this great national interest will be reduced to 19 millions, less than half the amount payable to public creditors and pensioners, from the taxes in the present year [Hear, hear, hear!]. Could any person acquainted with the history and situation of this or any other country, contemplate the progress of this revolution without the utmost alarm and dismay? and yet the only measure in such a frightful state of things, is the inane and abortive report on the table. He would not now enter into any further discussion of this momentous subject, his object being principally, as he had stated in the outset, to call the attention of the country to the report, before the adjournment, when he trusted the recommendations of the committee would undergo very serious consideration, before the House could be brought to adopt or to legislate upon them.

Mr. *Frankland Lewis* did not consider this, at all a desirable moment for going into the vast range of matter connected with the report. The hon. gentleman had, however, in such strong terms attacked the agricultural committee, that it became necessary for him (Mr L.) as a member of it, to express a hope that neither the House nor the country would concur in the censures that had been so freely bestowed. The hon. gentleman had accused the committee partly for what it had done, and partly for what it had not done; but when he said, that the proper course for it to have pursued was to have investigated the causes of the distresses, and to have ascertained how far they arose from taxation, and how far from a change in the currency, he widely differed from the hon. gentleman. Had that course been recommended in the committee, he should have resolutely resisted it; because, although he had very often heard hon. members argue that the distresses were attributable to the change in the currency, he had never yet heard any individual hardy enough to say, that the step that had been taken in this respect ought to be retraced. The House had given the committee, in the order of reference, no such power or instruction; and to what beneficial or practical result could it have led, to rip up what no hon. member had been found daring enough to attack in any substantial form? To have assumed this power, and to have inquired what taxes might or might not be fitly repealed, would have been a direct interference with the duty of the whole House, which was the labour of every session, and for which a session was hardly ever found sufficiently protracted. It was to be remembered also, that the committee which had just reported was to be considered as a sequel to the committee of the last session, and that committee had entered into a minute investigation of the causes of the distress. It was, therefore, most unnecessary and unwise for the committee to travel over the same ground as had been investigated the session before.

He took this early opportunity of disclaiming, for his own part, what had been imputed to the committee, namely, that it was any part of its object to increase the restrictions on the importation of foreign corn, and thus to increase the price of corn to the consumer. They had thought, indeed, that the mode in which the prohibition was at present constructed, should be altered, but it had not been intended to increase, in any way the difficulties imposed by law on the importation of foreign corn. If there had been any such intention, he, for one, should have opposed it; and he trusted that the measure recommended would have no such effect.

Mr. *Western* did not concur in the censures bestowed upon the committee by his hon. friend, the member for Coventry; nor did he think the points to which he would have directed its attention, open to its consideration. He was ready with the hon. gentleman who last spoke, to do justice to the motives of the members of that body, however he might dissent from the conclusion to which they had arrived. This committee had been only a revival or continuation of that of last year; and when it was asserted, that the object of it had been to raise the price of grain, it was putting it in a way not quite fair. The landed interest complained, that although the act of 1815 was meant to give them protection, yet that it was mainly defective, as when the ports were open, there was no limit to the quantity of grain that might be imported and warehoused, and thus a lasting glut was produced in the market. To this the committee had applied a remedy, which he thought wholly incompetent, and placed the British agriculturist even in a worse situation than before. Intending to do justice, the committee had been most egregiously mistaken, and the report would, therefore, only increase the dissatisfaction and dismay among the farmers. Such was the present state of the country, that it was impossible to say in what manner the duty proposed could operate effectually. It became the House, without delay, to look at the extraordinary situation in which the landed interest was placed. It was a bold assertion that he had made on a former night, but a true one, that two-thirds of the farmers of Essex, could they make up their accounts, would be found insolvent. Did not this impose upon the House the duty of a full and an immediate investigation? It was impossible not to feel that an immense proportion of the present difficulties arose from the alteration in the currency. The right hon. member for Chichester (Mr. Huskisson), in a published speech, had said, that the commercial distresses of 1816 and 1817, were produced by overtrading, combined with a contraction of the currency; and in the same way he (Mr. W.) contended, that the present agricultural distresses were occasioned by over-production, combined with an alteration of the currency. In France, also, it was said, there was over-abundance, but there, though prices were low, there were no such mischievous consequences—there was no change in the rent or price of land, in the wages of labour, or the price of the great articles of iron, copper, lead and tin. The hon. member who spoke last had said, that no one had the boldness to propose to rip up the law of 1819. He (Mr. W.) said, the distress of the country would compel them to rip it up. The House would be compelled to retrace its steps, for he was satisfied they could not proceed. The price of wheat, which for 150 years before the last war, had not been rising, had been doubled in the years after 1797. What was the cause of this but the depreciation of the currency? During that depreciation we had contracted an enormous debt, which was to be now paid by the industrious classes in a currency of increased value. This had made such a havoc in the property of the country, as was never made by revolution or by civil war. It was true, during the depreciation of money, the rents of estates had doubled, but incumbrances had doubled and taxes had quadrupled, so that the situation of landlord had not been a whit better. But what was the state of the landlord now? His income was again reduced to one half, and all their fixed payments remained. If the price of corn settled down, as there was every probability it would, to the price it was at before the war, would any one be sanguine enough to think that rents could exceed one half of what they had been? Taking the incumbrances, repairs, agencies and law expenses, &c. into consideration, the nett income of the landed interest was not above half of its nominal income. What would be their situation, then, if their nominal rent was reduced to one half? As to the labouring classes, he had a

different idea of the effects of the change of the currency from that entertained by his hon. friend the member for Coventry. True it was, wages did not at once fall; but they would settle down to the price of corn, and the labourer would at last get wages no greater than he had before 1797, while he had to pay the increased taxes. He was convinced that the House would feel itself compelled to take into consideration the act of 1819. There had been nothing so injurious he was convinced, as the act of 1797, which was a breach of faith to the public creditor, and the act of 1819, which had been a breach of faith to the public debtor. If no member more competent to the task should take up the matter, he should feel it his duty to call on the House to re-consider the last-mentioned act.

Mr. *Ricardo* said, that no one could be more aware of the great difficulties which had been occasioned by alterations in the currency than himself. He had given the subject the greatest attention in his power, and had laboured hard to show the necessity of a fixed and unvariable standard of value. At the same time, he could not agree with the hon. member for Essex, as to the operation of the changes in the currency upon agriculture. Let them suppose the utmost extent of the operation—the changes in currency on the pressure of taxes. They must deduct from the whole amount of taxation, the amount of those taxes which were employed in expenditure, as they had been diminished in proportion as the value of money had been augmented. Supposing, then, 40,000,000*l*. to remain, on which the operation of the currency on taxation was to be calculated. What proportion could possibly be paid by the tenantry of this amount? Suppose one fourth. He did not include the landlords in this calculation, but only the tenantry. Suppose one-fourth paid by the tenantry, their proportion would be 10,000,000*l*. Suppose, according to the extravagant calculation of the hon. gentleman, that 25 per cent was the real amount of the alteration operated by recurring to a metallic standard of value. Then 2,500,000*l*. was the whole extent of its operation on the tenantry. Was it possible that the distress which was now felt could be owing to 2,500,000*l*.? Such a sum was totally inadequate to such an effect. Let them look again at the landlords. The alteration could affect them only as it took more from them in the shape of taxation. No person was more ready than he was to admit, that it occasioned an increase of burthen in this shape as in every other: but he must be allowed to ask, whether, if the tenant paid the rent demanded, the landlord must not be benefited by receiving the same rent which he had exacted in the depreciated currency? He admitted that landlords did not receive the same rent, but had made an allowance equal to the depreciation. But, if he received the rest of the rent, whence arose the distress? He had given up 25 per cent, and received 75 per cent, equal to 100. How, then, was he injured? But the landlords did not receive 75 per cent. They told them that they could not receive any rent—that the distress was so great, that the surplus could not pay any thing but the taxes. He asked, then, whether the depreciation could possibly have occasioned this? He did not believe that the changes in the currency since 1819, had been more than 10 per cent. But did he say that the landed interest suffered only to the extent of 10 per cent? No such thing. The greatness of the distress he was most sensible of, and the causes which had been assigned he thought amply sufficient to account for it—namely, the abundance of several successive harvests, the importation of corn from Ireland, and other similar causes. It was utterly impossible that this country could be reduced to that situation that the surplus produce of agriculture should be only sufficient to pay the taxes, without affording any rent to the landlord, or any profit to the cultivator. This was a situation to which the country could not possibly come.—He wished here to say a few words of the report which the agricultural committee had made. The former report contained some most admirable propositions. If he might divide it into two parts, he would say, the first half was as excellent a report as had ever emanated from any committee of that House, and was well worthy of being placed beside the bullion report and the report on the resumption of cash payments by the Bank. It contained most sound and excellent observations on the corn trade, and on the corn-laws. It most justly pointed out two great evils arising from the corn-laws, which affected the present distress. The first was, when there was a scarcity, and corn rose to 80*s*., then the ports were opened, and we were deluged with foreign

corn, whatever might be the price in the countries from which it came. The ports were open for any quantity. This was a great evil, and operated at the very time when the short harvest ought to be compensated by high prices. The second evil was felt when in a season of plenty we habitually produced corn at an expense very considerably above other countries. If there were successively good harvests, the farmer could obtain no relief from exportation, and was thus ruined by the abundance of produce. What was the inference from this, but that they should take measures, to enable our farmers, in seasons of abundance, when they could not obtain prices to compensate the expense of culture, to get relief by exporting to other countries, and for this purpose a duty on importation of foreign grain should be imposed, equal to the peculiar taxes which fell on the farmer, such as tythes and a part of the poor-rate; and a drawback of the same amount should be allowed on exportation. If such a regulation were adopted, after a small fall of prices, the farmer would then export to other countries, and relieve the glut of the corn market at home. Another part of the report was totally incorrect. It spoke of countervailing duties, not, as all countervailing duties ought to be, as imposts upon the importer in order to subject him to all the burthens of the home-grower of corn, so that the taxes might fall equally on grower and importer, but as duties which should be equal to the additional expense of growing corn in this country over other countries. Countervailing duties on this principle, would thus be sometimes 20*s*., and sometimes 30*s*. There appeared to him to be no principle more clear, than that there could not be a fixed remunerating price in any country. Before there was a dense state of population in a country, they would cultivate the very best lands, and they could then compete with any country, and export their surplus produce. There would then be no occasion for countervailing duties. But when population became more dense, poorer lands would be cultivated, and an increase of charges would arise from the greater expenses of cultivation. As population went on, the cultivation would go on to still poorer lands, and the price would continue to rise. If, then, the rule should be, for a countervailing duty, the difference of charge in the growth, no limit could be affixed to the amount. He could not conceive any system of duties more destructive to the best interests of the country.—He would now advert to the present report. He had gone into the committee under a deep impression of the great distress which the agricultural interest suffered, with a most unfeigned desire to find some means of relief, not upon the general and absolutely true principles of legislation, but with every inclination to give every facility to measures of immediate effect in alleviating distress. All he required was, that there should be something in the report, pledging them, when the distress should have gone by, and the farmers should be rescued from their suffering—for he was the advocate of the farmer, and not those who pretended to be the exclusive friend of agriculture—all he had required was, that the report should promise a return to proper principles when the present dangers should have been removed. But, although the report recognized the evil which produced low prices, and the apprehension of still lower prices, it did not hold up the slightest purpose of ever returning to sound principles. It expressed hopes of better principles being adopted, and the House would be astonished to hear what those principles were. It was to have recourse to the countervailing duties which he had explained. If on this plan they attempted to give a monopoly to grapes reared in hot-houses, countervailing duties might be imposed on wine, to make it as dear as the produce of the hot-houses. In the same way with sugar. In this way all branches of foreign commerce would be lost to this nation, and to every nation which adopted countervailing duties. The only true policy was to allow us to go to the country where the article required was most easily and abundantly produced. He was ashamed to occupy the time of the House so long [Cheers]; he would not go into detail, but he felt called upon to throw out a few observations. The hon. member for Essex had alluded to the West Indian cultivators. If he wanted an argument, he would take that very case, and he asked how the currency could be supposed to have affected them? Was it not notorious that their distress was entirely caused by over production? Were not the measures adopted for their relief calculated to give them a market for their produce which they had not before? In the same manner, the agriculturist of this

country must be relieved by increased demand, or diminished supply. He had not said that taxes contributed not to the distress. On that point he had been misunderstood. They who were exposed to exclusive taxes ought to receive protection from those taxes. But on this subject he would give his opinions in greater detail on a future occasion.

Mr. *H. G. Bennet* rose to protest against the doctrine, that taxes had nothing to do with the distresses of the agricultural interests. He did not profess to be able to go into the calculations which his hon. friend had stated, but he could state that in 1792 prices had been as low as at this moment. But the taxes had been at the utmost but 19,000,000*l.* including collection. Nothing had then been talked of but the prosperity of the country. The 3 per cents were at par, every man received his rent, and every one thought the country had never been more prosperous. Why was there such a difference now? Why, but because the taxes were now 56,000,000*l.*, and taken out of the produce of the country, whether arising from land or industry. Here was a country, than which there was none more industrious in the world, possessing a soil, if not the very best, one of the fairest, and a climate among the best in the temperate part of the globe, and particularly fitted for agriculture. Let them look to the state of the people who lived in this country. From one end of the land to the other, they would find nothing but the cry of want. His hon. friend said, this was owing to a superabundance of produce. Too much corn grew—the trees grew too fast. But the cause of distress was, that there were such demands on their pockets by the Crown, the church, and the poor, that nothing was left to the landlord for rent, or to the cultivator for profit. Why was this so? Let them look back to 1792, and they found prices the same, and the country rich. But in 1822, the country was in the greatest distress. Nothing but mere words and sophistry could be urged to show that the demands of the government did not occasion this state of distress. This country, under the operation of the government, was approaching to the state of India. He doubted not that the land would be cultivated; but as the Zemindars in India had been dispossessed, so gentleman after gentleman would disappear in this country, and the end would be, that the government, the church, and the poor, would become the proprietors. A revolution, unequalled in effusion of blood, or ravage of property, had been going on in this country for the last twenty years, but particularly during the last four years. No example of such a revolution was to be found in history! His hon. friend had entered into a calculation to show that only 2,500,000*l.* of the taxes pressed upon the tenantry, in consequence of the change in the currency: but he had left out of view the various payments which they were obliged to make now in an improved currency to the same nominal amount as in the debased currency. He knew of gentlemen who had been in the receipt of 6,000*l.* or 8,000*l.* a year, and now received not 1,200*l.* a year. This had not been occasioned by extravagance on their part, but by the allowances which they were obliged to make to younger children, and other burthens. Many were compelled to live in lodgings in London or Bath, or to go abroad, instead of educating their families at home, as their fathers had done. The bill of the right hon. gentleman for resuming cash payments he looked at with reverence. It deprived the chancellor of the exchequer of the usual resources in Jews-corner and 'Change-alley. He was quite unwilling to embark even in the discussion of this question again. The only mode of relief, and of great and effectual relief, was, the reduction of taxes. It was a joke—he had not a word to express his contempt for the opinion which would represent, that reduction of taxes was not the only means of saving the little remnant that was left, and keeping the hand of the tax-gatherer out of it. He would say "Get rid of that juggler, the sinking fund, and give the people the 5,000,000*l.* or 6,000,000*l.* which it takes from them; if that will not do, the first creditor is the plough, the gentlemen of England must not be stripped of their estates, the farmer must not be deprived of his pittance, and we must come to an accommodation with the public creditor." Though it might now seem bold to say so, he was sure that he should live to see that result, and that the right hon. gentleman, the chancellor of the exchequer, and the noble lord would be seen coming forward, and, under the plea of necessity, advocating such a measure. He should hold it inexcusable, if every thing were not done to prevent this, and to pay strictly every shilling due to the creditor. But, if this could not be done, they were bound, as public men, to

do what every private man did—to come to an amicable arrangement for paying a portion of the debt, before they should come to have none at all to pay. He could consider the agricultural committee only as a committee of landlords whose object was, to raise the price of corn. Had it been a committee of merchants, they would, he had no doubt, have come to a conclusion directly opposite. For the consumers at large he would say, that the committee and the report had no other object but the raising of prices, which would be a great calamity.

The Marquis of *Londonderry* said, he had heard nothing that evening to convince him that it would not have been better to reserve the discussion till an opportunity when some more practical proposition should be brought forward. He put it to honourable members opposite, whether they had not lost a great deal of precious time in not raising a question upon the state of the currency during the considerable part of the session which had passed, if they believed that measures affecting the currency would give relief. He meant such measures has had been proposed by the hon. member for Essex, and which would probably be seconded by the hon. member for Coventry, who had supported the bill in 1819 as ardently as any member, but who seemed, to be doing all he could since, to atone for that support. The hon. member for Essex ought not to have been satisfied with making a fruitless complaint that night; but if he thought that he could influence the judgment of the House, he ought to have submitted a measure such as he had alluded to. The hon. member ought to have satisfied the House that the bill ought to be repealed, and not to have merely maligned it. He could now understand the course pursued by the hon. member for Shrewsbury. He could not before understand why it was thought desirable that, with imperfect views, they should enter into the discussion of a subject which came before them in no practical shape. But he could now see the object of the hon. member for Shrewsbury; and he must enter his most solemn protest against the purpose which he had in view; for, if he understood him right, he wished to sound the public mind, through the channel of the distresses of the agricultural classes, to ascertain if they were disposed to favour that most flagrant deviation from sound policy as well as from common honesty—a breach of faith towards the public creditor.—Could a British House of Commons sanction such a measure, it would relieve no class in the community, but it would overwhelm all classes with ruin. Were it possible for them to be dishonest and base enough to listen to a project of national bankruptcy, the result must be most calamitous. If they could adopt the idea of abandoning the sinking fund to repeal taxes to that amount, it would prove as injurious as unjust, and the faith of the nation would be sacrificed without relieving the existing distress. To ascertain this it was not necessary to wait for the consequences of such an experiment. Every man at all acquainted with the subject knew, that were this done, it could afford no essential relief—it would be but a drop of water in the sea. Nay, he would go farther and say, that if the whole weight of our taxes could by possibility be removed—as well those which were necessary to support our establishments, as those which were demanded to enable the country to fulfil its engagements—if all the taxes could at once be swept away, that degree of relief would not be afforded, that no distress should be felt. This was not the first time that the hon. member for Shrewsbury had attacked the government of the country—not the present administration, but the government generally, by imputing to them all the distresses that were the subject of complaint, by making them answerable for all the burthens thrown on the country by the late war, and for events long since passed by, over which they could have had no control. That hon. gentleman might take a lesson from his friend near him, the member for Portarlington, who had shown how small a portion of that distress now complained of had been thrown on the suffering individuals by taxation. Any man, who took a rational view of this subject, must know that he was attempting to mislead the public when he represented that the existing distress could be removed by any remission of taxation. He must take that opportunity, after what had been advanced, of stating what he knew the feelings of the country to be on this subject. He would never believe (and he thought he knew its temper well), that the country, under any degree of suffering, would so far forget itself, as to favour injustice. He would not believe, that, under any circumstances, they would be

disposed to break faith with the public creditor. The security which the hon. gentleman proffered to offer, in the first instance—by not calling on the public creditor to compound, till the effect of reducing taxes to the amount of the sinking fund had been tried—was no security at all. They would give, by taking such a course, only a brief delay; for the certain consequences of such a step were sufficiently known. The distress was caused by the operation of the seasons, and the state of the markets; and therefore could not be cured by the remission of taxation, even though that were pushed to the length of national bankruptcy. On this point there could be no doubt; for if a parliament could be found so degenerate, and a people so destitute of honour and common honesty, as not to start at the idea of such an abandonment of principle, the most sordid calculation would forbid the adoption of such a measure; as the want of protection for all the great interests of the nation, which must be felt in that case, would make it worse than useless, and, instead of removing the evil, would only have the effect of largely aggravating it. And here, when they heard so much of the distress of the country they must give him leave to say, in spite of the candid representations of the hon. member for Shrewsbury (who was always more anxious to colour highly than to colour faithfully) the manufacturers of the country were in a state of great activity of exertion, and a great increase of their social comforts had taken place, which were likely to continue. The commerce of the country was flourishing, and in every part the utmost activity was to be remarked. He would repeat it, that the only body of men now suffering under the pressure of distress was the agricultural part of the community, and their situation was to be traced to the course of the seasons, and the consequent state of the markets. Though abundance was desirable, yet carried beyond a certain point, it occasioned evils like those now felt. He was not prepared to go into this view of the question, and to show how they suffered by abundance; but if the hon. member for Portarlington turned his intelligent mind to it, he could make the House understand this part of the subject. All other persons, it was said, must be affected when this great fundamental interest of corn was shaken. He would say, however, that the country was generally in a state of prosperity. The agriculturists alone suffered; and they were suffering in common with those of all other countries. The doctrines which had been so imprudently, and he thought so dangerously, brought forward, would, he was confident, find no favour out of doors. A national bankruptcy would prove as fatal to those whose relief was sought as to any other class. No country had ever yet been saved by a measure which held out nothing but a principle of ruin. There could be no real prosperity which was not founded on principles of justice. Having received the money, he could conceive no duty more sacred than to pay the interest.

Mr. *Bennet* said, he had broached no doctrine of the kind. He had only stated, that the measures of ministers were driving along in that course which would terminate in a national bankruptcy. That he repeated. The measures which had defrauded the creditor in 1797, and the debtor in 1822, were rapidly proceeding to ruin the nation.

Mr. *Ellice* wished to say one word in answer to the noble lord's charge of inconsistency in his opinions with respect to the bill of 1819. At that time, as now, he supported the principles of the committee, and was anxious to put an end to a system which had so long disgraced this country, the only standard, in fact, being the discretion of government and the Bank in the issue of paper He had since opposed any attempt to revise the decision of the Committee, but he had at the time stated all his apprehensions of the result of the determination to restore the ancient standard, and he had not been deceived by them.

Mr. *Ricardo* corrected the error which appeared to have prevailed in the mind of his hon. friend, the member for Salisbury, that he (Mr. R.) was an advocate for taxation. On the contrary, he had voted for every reduction of taxes that had been proposed in the course of the session, because he was anxious for the repeal of taxes, feeling that every tax must prove a burthen upon the public.

Mr. *Peel* would put it to hon. members, whether any thing like full discussion could be had at the then moment, and urged the impropriety of partial discussion, as tending to throw erroneous views before the country. For himself, he rose merely to enter his protest against being supposed to concur in the doctrines of the hon. gentlemen opposite; but he could not forbear

observing, how easy it would be, to show that the distresses of the country could not be owing to the causes assigned for them. Neither the existence of distress, nor its extent in England, could be denied; but if he found other countries labouring under the same distress, and if he found in those countries no alteration of the currency, no weight of taxation, none of those causes to which the distress of England was ascribed, then he was justified in contending, that it was not entirely out of those causes that the distress of this country had arisen. Now, both in Flanders and in Switzerland the greatest agricultural distress existed at the present moment. In parts of Switzerland the pressure was so severe. that the land-owners actually could not buy implements to till the ground with, Switzerland had neither heavy taxation nor a changed currency to complain of; it was evident, therefore, that, independent of those circumstances, the same evil which now afflicted England might exist. There were other facts presenting themselves upon the surface of the subject, which went to negative the effect of the causes to which our distress was imputed. The operation of those causes had been (as regarded the country) general; the distress was only partial. And the House should take notice how completely the bill of 1819 had falsified the predictions of those who had opposed it. Gentlemen of the other side had most positively declared, that if the bill passed, the revenue of the country must fail: but the bill had passed, the currency had improved, and the revenue, notwithstanding, had gone on largely increasing. All he asked was, that the bill should be fairly tried, not by its effect upon a particular interest, but by its effect upon the state of the whole interests of the country. He desired that the state of the manufacturing interest might, be taken, the state of the poor-rates, the comforts enjoyed by the manufacturing population, and the tranquility prevailing in the manufacturing districts. He asked, also, that reference might be had, in looking at the bill, to the general state of commerce in the country; and that an unfair stigma might not be cast upon the measure, merely because there was a pressure upon the agricultural interest. He asked this, first, because he could not admit partial distress to be a fair criterion; and, next, because he would not admit even that partial distress to be occasioned by the bill.

Mr. *Calcraft* did not insist upon the bill of 1819 as one of the very material causes of the present agricultural distress, although it did press in some measure upon that interest as well as upon others; but when the right hon. gentleman relied upon the prosperity of the manufacturers, he would tell him that the very distress of the agriculturist was one great source of that prosperity. He was bound to declare (although he knew the doctrine would not be popular on his own side), that the agricultural distress arose out of the too great production, and that over-production created such a competition in the market, that the tax which the grower paid he was unable to throw upon the consumer. The manufacturer was well off, because the price of produce was ruinously low. The agriculturist was starving, because he raised produce under heavy burthens, and was compelled to sell at prices which would not reimburse him. And, what was the relief proposed for all this suffering? One million was to be laid out in corn for the purpose of warehousing. But he must contend, that that measure would do nothing at all for the agriculturist. The million must be laid out in corn which would bear warehousing, and that kind of corn was already at a fair price. The warehousing plan would do no good at all to the grower, and it would do a great deal of harm to the consumer. They came, then, to the question of what ought to be done; and, upon that point, he must call the attention of the House to the declaration of the noble lord. The noble lord said, that, suppose the whole taxes of the country, much less 5,000,000*l*. of them, repealed, the grower of corn could not be relieved. The Opposition had been charged with extravagant propositions; but let the House only consider that single proposition of the noble lord. About 70,000,000*l*. of revenue were collected; the collection was made at a very great expense; the mere nett revenue nearly doubled the rental of the whole kingdom, and yet the noble lord said, that its repeal would not help the farmer! A more monstrous proposition had never been uttered in any assembly. The short truth was, that if the price of produce could not be raised, the charge of production must be lessened, and that lessening must take place in different branches of expense, and in different ways—by abatement of rent, by lowering of tithes, by diminished poor-

rates, by reduced price of labour, and last, and certainly not least, by a proportionate lessening of taxation. With what face could government ask the landholder to abate his rent, while it told him that no end would be answered by abatement of taxation? He did not say that it was possible to reduce taxation in an equal degree with rent; but he did insist upon every reduction which could be made consistently with the engagements by which the country was bound. He went no farther: honour, justice, and sound policy, alike demanded that those engagements should be fulfilled.

The Marquis of *Londonderry* said, he had never meant to contend that the remission of taxes would afford no relief. He had only maintained, that if it were possible the country could exist as a country, all the taxes being swept away, the present distress would not be removed. The absurdity of supposing that it could be so removed had been forcibly pointed out by the hon. member for Portarlington.

Mr. *H. Gurney* thought the existing distresses, which might more properly be called the pecuniary embarrassments of the country, had been entirely produced by the measure commonly called Mr. Peel's bill.

The petition was ordered to be printed. —Adjourned to the 17th.

HOUSE OF COMMONS.

Wednesday, April 17.

Accessories in Felonies.] Mr. *Bennet* rose, to move for leave to bring in a bill "to amend the laws against Accessories before the fact in certain Felonies." The House must be well aware that in certain cases of felony, such as murder, arson, robbery, and others, the individuals who were, perhaps, the instigators to the crime, but did not participate in its commission, could receive no other punishment than twelve months imprisonment. He would mention an instance which placed the impolicy of the law in this respect in a strong point of view. A jeweller in Arundel-street, was some time since robbed of property to the amount of 2,000*l*. It appeared that the robbery had been planned by a boy in the employment of the jeweller, and there were strong grounds for believing that he had even assisted in the fact; but, because there was no direct proof of that, the judges were obliged to let him escape with the slight punishment which the law, as it at present stood, provided for his offence. The object of the bill which he proposed to introduce, was, to invest the judges with power to inflict a heavier punishment upon persons who were proved to have been accessories before the fact, in certain cases of felonies, than the laws at present permitted.

Leave was given to bring in the bill.

Manslaughter.] Mr. *Bennet* then moved for leave to bring in a bill "to amend the laws respecting the crime of Manslaughter." Twelve months imprisonment, which was the punishment usually inflicted at the quarter-sessions, upon persons convicted of petty larcenies, was all to which the judges at present could sentence a person found guilty of manslaughter, however cruel might have been the circumstances attending the commission of the latter crime. He was of opinion, that the judges should be empowered to award the punishment of fourteen years transportation in aggravated cases of manslaughter; and the object of his bill was, to give them that power. He referred to the case of the man who was thrown from a window in Charles-street, Drury-lane, and died in consequence of the injuries he received. The parties concerned in that transaction, who were found guilty of manslaughter, could receive no greater punishment than twelve months imprisonment.

Mr. *Wynn* was of opinion, that no part of the law required more amendment than that which related to manslaughter. Under the head of manslaughter, cases most widely differing in the degrees of criminality were comprehended. A mere accidental blow in a scuffle, if it occasioned death, was considered manslaughter, and the deliberate killing of an officer in the execution of a warrant, if the instrument was in any degree informal, was no greater crime. These two things were considered in the eye of the law as exactly the same offence, and the judge had no power to inflict a greater punishment with respect to one than another.

Leave was given to bring in the bill.

Beer Trade.] Mr. *Tierney* presented a petition from the land-owners of Maidenhead, in Berkshire, praying for a speedy change of regulations in the mode of licensing public-houses. The petitioners complained of the bad quality and

needlessly high price of malt liquors; and suggested the propriety of granting licenses to individuals rather than to signs and houses; the effect of which would be to give a free trade to the publican, and enable him to change his brewer, if he found it convenient.

Mr. *Wynn* thought, that the giving licenses to persons intead of houses would be attended with mischief. It was part of a magistrate's duty to say where a public house should be as well as who should keep it. If licenses were made personal, the holders might remove their residences at pleasure, and so two or three public-houses might be situated close to one another.

Mr. *Grenfell* said, the intention was, not to interfere with the discretion of the magistracy, but to put the licenses into the hands of individuals, instead of affixing them to buildings.

Sir *R. Wilson* doubted whether any licenses ought to be granted to such houses as were the property of brewers.

Mr. *Bennet* trusted, that the House would not run away with so important a question. A proposition such as that, which his gallant friend had just hinted at, and which would put millions of property in jeopardy ought not to be looked at hastily. He intended, if he could find time in the present year, to bring in a bill for recasting the laws relative to the licensing and the regulation of public-houses.

Mr. *Brougham* was happy to hear of his hon. friend's intention. The licensing system stood in lamentable need of a revision. Not only was the very large and wholly uncontrolled power held by magistrates over publicans most liable to abuse, but in some cases abuse of it had been proved. In many instances of complaint he was disposed to trace the fault rather to bad judgment in the licensing justice than to wilful abuse; but abuses had been shown; and he could not help thinking, that magistrates, in their discretion, were disposed to restrict the number of public-houses too far. To allow a monopoly to one house in each district, and that monopoly to a house belonging to, or connected with, a brewer, led immediately to the sale of an inferior commodity; and the result was an evil far greater than that against which the magistrate, in his caution, intended to provide: persons who, in other circumstances, would have drank good ale or beer, were compelled by the ill-quality of those beverages to drink bad spirits.

The petition was ordered to be printed.

MARRIAGES OF UNITARIAN DISSENTERS.] Mr. *Brougham* presented a petition from the Unitarian Dissenters of Kendal in Westmoreland, complaining, that certain parts of the provisions of the Marriage act pressed on their consciences, and praying to be placed upon the same footing in that respect with the Jews and Quakers in England, and with the Unitarian Dissenters in Scotland and Ireland.

Mr. *W. Smith* begged, before he opened his proposition to the House, to put in two petitions, the one from Sheffield, the other from Stockton upon Tees.

The petitions having been read,

Mr. *W. Smith* proceeded. In bringing forward the present motion, he should begin by stating the grievances of which the petitioners complained. Their complaint was, that by the regulations of the act of the 26th George 2nd, commonly called the Marriage act, they were placed in a situation painful to themselves and different from that in which, previous to the passing of that act, they had been permitted to stand. It would scarcely be denied by any one that marriage was a civil ceremony. It was so considered, not only by the common law, but by the canon law; and from the year 1753, up to the passing of the act now complained of, marriages solemnized by the Dissenters in their own places of worship had been held good and valid. The act of the 26th Geo. 2nd, however, enacting that every marriage, to be held legal, must be solemnized in the church, by the ministers of the church, and according to the ritual of the church, completely deprived the Dissenters of their before enjoyed privileges. He was one of the class of persons now praying to be relieved from the pressure of that act, and it was important to those persons, as a class, that, coming before parliament, they should stand *rectus in curia*. He begged, then, to aver, that the Dissenters were un-arraigned of any crime, and that they had as good a title to worship God in their own way as any members of the Church of England. Marriage was the natural right of the human species, and neither man nor woman, without the grossest injustice, could be deprived of its benefits. Yet the act of the 26th Geo. 2nd, said to the Dis-

senters, "You shall comply with terms which are contrary to the dictates of your consciences, or you shall forego the advantage of that natural right." Such a holding was most unjust. It was not, indeed, without precedent, because the same course had been pursued under Louis XIV., towards the Protestants of France. The measure in France, however, though unjust, was not so inconsistent as the law in England; because the government of that country recognized at the time no religion but the Roman Catholic. To presume every Frenchman a Roman Catholic was most unjust; but, such being the presumption, there was no inconsistency, in saying, that members of the Roman Catholic church should be married according to its rites. In England, however, there was a palpable inconsistency about the arrangement. At the very time when the act of Geo. 2nd passed, the Dissenters had the benefit of the act of Toleration. At that time it so happened that the Unitarian Dissenters were in small numbers; so small, indeed, that they had not a place of worship belonging to them; but the Jews and the Quakers were especially exempted from the provisions of the act. The Jews could scarcely, perhaps, be called Dissenters from the Church of England—but the Quakers were, to all intents and purposes, a sect dissenting from the Church of England, and they could have no right to any exemptions in which the Unitarians were not entitled to participate. By the canon law, marriage was nothing else but a civil contract. This was stated by high authority in this country, when, in 1813, a question respecting the validity of a Scottish marriage was discussed. The opinion of the lord chancellor was, that the Scottish law was founded on the canon law, which was the foundation of the laws respecting marriage throughout Europe, and which regarded marriage as a contract. The Marriage act had for its object the prevention of clandestine marriages. With that object he wished not to interfere, and he would, therefore, only propose the alteration of the religious part. Some religious ceremonies were common to all nations, and were highly proper, but they were not necessary. As a proof of that, he might refer to the decree of pope Innocent 3rd. in council, which declared the religious solemnity not to be necessary to the validity of marriages. But the religious ceremony ought to be in unison with the feelings of the parties. The ritual of the Church of England was derived from the Romish church. Now, to make that ritual a necessary part of the marriage, where religious objections existed to it, was a positive absurdity. He proposed to leave out the whole of that part of the ritual which stated opinions on which the petitioners dissented from the Church of England. He concluded by moving for leave to bring in a bill "for altering certain parts of the 26th Geo. 2nd, commonly called the Marriage act."

Mr. *H. Gurney* did not see what possible objection there could be to Unitarians being married by their own clergymen. The whole service would then be suited to their own sentiments, and, banns being regularly proclaimed in the church, no inconvenience could arise from it. On the other hand, there were many objections to parties having the service performed by clergymen of a different persuasion. He wished, therefore, that instead of such a measure as was now proposed, the hon. and learned gentleman opposite (Dr. Phillimore) could embrace the subject in his bill.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Thursday, April 18.

Committee for Simplifying the Public Accounts.] The *Chancellor of the Exchequer* rose, pursuant to notice, for the purpose of moving for the appointment of a committee, to investigate the manner in which the Public accounts are at present kept, and to suggest such improvements in the system as might appear necessary. The first object he had in moving for this committee, was, to devise some means of simplifying the manner in which the Public Accounts were prepared. He wished that the accounts annually laid before the House should be made up on a mercantile plan, presenting, at one view, as in a balance sheet, the income and expenditure of each year. An attempt had already been made to lay before the House a statement of this kind. If a summary of the debt and expenditure of the country, in one short abstract, were annually laid before parliament, that summary might be considered as a sort of index to each particlar account; so that any gentleman could, without difficulty, refer to the items of which it was composed.

Another object which he contemplated was, the making up of the accounts at the earliest possible period. The right hon. gentleman concluded by moving "That a select committee be appointed, to consider of the best mode of simplifying the Accounts annually laid before the Houses of Lords and Commons in pursuance of several acts of parliament, respecting the Public Income and Expenditure, the National Debt, and the trade and navigation of the United Kingdom and report their observations thereupon to the House."

Mr. *Maberly* said, that the errors which were manifest on the face of the public accounts rendered it necessary that a thorough revision of the system should take place. By the adoption of a balance sheet, gentlemen were at once enabled to detect any error which might occur in the detailed accounts; and while such a check existed, it would compel those whose duty it was to superintend the public accounts, to make those accounts consistent with the balance-sheet. When this system was fully carried into effect, the public would reap great benefit from it. Country gentlemen, who did not at present pay much attention to financial subjects, on account of their complexity, would, when the accounts were simplified, very easily understand them, and would at once see the increase or decrease of the public expenditure, or of the public debt.

Sir *H. Parnell* did not mean to oppose the motion, but he would suggest that the proposition did not go far enough. It was not merely a simplification of the annual accounts that was called for; but a simplification of the whole system of keeping accounts in all the public departments. He could refer to various reports which had been presented to that House, complaining of the mode in which the accounts were at present kept. He begged leave to call the attention of the House to an extract from the evidence of the accountant-general, Mr. Stedman, given before a committee in 1810. That gentleman admitted, that the accounts were very much in arrear, the amount to be balanced in each year being about 14,000,000*l*. But he added, "I have no hesitation in saying, that the accounts in my office might be as speedily and correctly made up, as those of any mercantile house in the kingdom, if a new system was introduced." Here was the evidence of the accountant-general, showing that the existing system was an improper one. There was another point, connected with the motion. He alluded to the estimates; which were at present submitted to the House in a manner which rendered it impossible to understand them thoroughly. No account was given, as to what became of the supply; whether there was a balance in hand, or a debt outstanding. He knew there was a sort of account laid before the House in April, but it was then of no use; and even if it were submitted to the House in good time, it would not give a full idea of the manner in which the supply was disposed of. It would, therefore, make this measure more efficient, if it were extended to the whole system of keeping the public accounts.

Mr. *Lushington* said, that the labours of the committee would not be so light as the hon. baronet seemed to imagine. The range of their investigation would be so extensive, that it was doubtful whether they would be able to make a report that session. He hoped, however, that their labours would enable government to lay the annual accounts before the House much earlier than heretofore, and in a different shape from that in which they formerly appeared. If the duties of the committee were extended to the whole system of keeping the public accounts, it would be impossible for them to effect any useful purpose whatever in the present session.

Mr. *Ellice* could not concur with his hon. friends in their view of the advantages which the country was likely to derive from this motion. He had hoped, in consequence of what occurred in the last, as well as in the present session that a committee would have been appointed to inquire generally into the public accounts; and although great labour would be thrown on such a committee, he could not see why they should not, like the committee on trade, report from time to time, on particular parts of the public accounts. One object for which he wished that committee to be appointed was, to inquire into the mode of managing the sinking fund. They were at present keeping up two or three useless establishments for the purpose of paying with one hand what was received by the other. Thus, if 18,000,000*l*. or 19,000,000*l*. was paid towards the liquidation of the debt, it was received back again in the shape of loans. The right hon. gentleman was going to do away with the great principle which formerly distinguished the sinking fund system, by removing its power of multiplication. If

this were so, and if the sinking fund were increased to 5,000,000*l.* without the power of accumulation, why not at once cancel the redeemed debt, and pay the surplus of the revenue to the commissioners. This would simplify the system, and it appeared to him, the only objection which could be urged against it was, the necessity which it would impose upon the right hon. gentleman to reduce one or two useless establishments and to state his accounts in a manner which the public could understand. Another point which it was material the committee should place on some intelligible footing was, the manner in which the accounts relative to our trade and navigation were made up. At present it was perfectly impossible for the House or the country to understand, or to draw any correct inference from them. They had what were called the real, and official values, and according to them the trade of the last year had been stated as greatly exceeding that of the most prosperous preceding year. Was that according to the value affixed to exports and imports during the war, or had that value been reduced according to the real decline in prices since? The right hon. gentleman might as well lay these returns in hieroglyphics on the table, as in their present shape, without some key by which the House could comprehend them. All the machinery of the exchequer accounts called also loudly for examination and reform. As nothing it appeared, could be done without a committee of that House, and as their labours were now to be confined to the specific objects mentioned by the right hon. gentleman, he hoped at least, they would gain so much by the measure, that in proportion as the House obtained information from their present limited inquiries, they would feel disposed to press the renewal of the committee hereafter for more extended objects.

Sir *J. Newport* thought the most satisfactory course would be, for the committee to take up particular branches of the subject and report on them from time to time.

The *Chancellor of the Exchequer* did not think it would be proper to report from time to time, and could not consent to enlarge his motion to the extent which gentlemen opposite desired. If it were so enlarged, it would bring subjects into discussion, the consideration of which properly belonged to other bodies. Some of them were, indeed, under the immediate cognizance of government itself.

The motion was agreed, to, and a committee appointed.

HOUSE OF COMMONS.

Monday, April 22.

Agricultural Distress.] Sir *W. Lemon* presented a petition from the owners and occupiers of land in the county of Cornwall. The petitioners adverted to the distresses of the country, and stated their conviction that those distresses did not arise from a transition from a state of war to a state of peace, but chiefly from a lavish expenditure of the government.

Mr. *Grenfell* bore testimony to the respectability of the individuals who had signed the petition; but he was bound in justice to himself to declare, that he did not concur in many of the opinions which the petition contained. Although he felt, in common with every member who heard him, the severity of the distress which pressed upon agriculture, yet he was of opinion, that that distress was not of so general a nature as had been represented. He believed, too, that it would be but of temporary duration, and that the period was not far distant when it would be in a considerable degree removed. He knew that many members of that House, and writers out of doors, had painted the present and prospective situation of the country in gloomy and desponding colours. For his own part, he was one of those who never did despond. He never yet had desponded, and he recollected no former occasion on which he was less disposed to entertain gloomy apprehensions of the situation of the country than at present. If those who appeared to despair of the state of the country would admit as proofs of national prosperity an increasing population, accompanied with a considerable extension of trade, both foreign and domestic, together with a degree of active employment throughout the manufacturing districts seldom surpassed, and a more general diffusion, not only of the necessaries, but of the comforts and even luxuries of life among classes of the community which before were unable to obtain them; and if, in addition to these circumstances, the superabundance of capital manifested by the investments which were made in buildings, in public works, and in every other

way in which capital could be invested, was also admitted as an indication of national prosperity; then he would confidently say, that all these things existed in every part of Great Britain; and he had no doubt that if the country continued to enjoy the blessings of peace, to be well governed, and to have its affairs properly administered in spite of the blunders of government during the last twenty five years, in spite of the profusion and extravagance which had characterized the government during the same period, in spite of the fatal measure of 1797, which caused our departure from a true standard of currency, and substituted for it a fictitious currency, that from its nature had led to much of that extravagance which he lamented—in spite of all these circumstances he was still of opinion, that in a few years, the nation would make a further advance in wealth and prosperity than it had ever before reached.

Ordered to lie on the table.

Brazils—Conduct of the Consul General.] Mr. *Hume* said, he had a petition to present from British merchants trading to Rio Janeiro. He had on the 13th of June last year, moved for papers relating to the commerce of this country with the Brazils. The noble marquis, now in his place, did not object to the motion, but took upon himself to doubt the accuracy of his statements. He was happy now to have it in his power to prove the accuracy of his statements. He came prepared to lay before the House one of the grievances under which British commerce suffered in that place, as in every part of the world, from the conduct of the consuls. An act of George the 1st, authorised the levying of duties for merchants in distress, but placed the sum levied in the hands of the merchants themselves. In 1808, sir James Gambier had been appointed consul at Rio Janeiro, and had imposed a duty of 10*s.* per cent on all goods imported and exported. All complained of this as unlawful, and many demurred. In consequence, it was found that he was not authorized to enforce it. But an act of parliament was passed in 1814, towards the end of the session, which authorized the impost. It was called "An act to amend the 8th of George the 1st;" but instead of amending that act, it gave powers which had never existed before. Since 1815, when it began to be enforced, 53,000*l.* had been levied under this act. The House would be surprised to hear, that the amount of the consul-general's income was 9,000*l.* a year, exclusive of the large fees allowed to the vice-consul; and the whole arose out of oppressive imposts levied upon the British commercial interests in the colony. The gross abuses consequent upon such a system would not be astonishing. It generally happened that an enormous salary made a gentleman superior to the duties of his office; and therefore it was not wonderful that Mr. Chamberlayne, the present consul, neglected every thing which he was paid for attending to; and, in fact, rather prejudiced the British interest, than did any thing to advance or facilitate it. In the first place, Mr. Chamberlayne resided at a distance from the port—a measure, perhaps, very convenient to him, but highly inconvenient to the merchants and shipmasters who had business to arrange with him. Again, in opposition to the custom established at all ports, which required masters of vessels to show their registers, but not to put them out of their custody, Mr. Chamberlayne compelled the captains and traders to give up their registers and papers, nor were those papers returned but upon the payment of his own fees, and farther exorbitant charges on the part of the vice-consul. The petitioners declared in their statement of grievances, that the fees demanded of them, at Rio de Janeiro, were three times greater than those which they had to pay in Lisbon. They farther complained that the vice-consul charged 2½ per cent upon the proceeds of all sales made in the colony, for the benefit of underwriters in England, before he would certify that such sales had actually taken place. Independently of the consideration how far such patents as that of Mr. Chamberlayne could in law exist (patents like those granted by Charles the 1st, levying contributions on colonies for the benefit of individuals), it would appear that the present consul, instead of protecting, was every way injuring the interests of his country. He farmed certain fees and dues at a large rent to the vice-consul, and frequently left to that same officer the whole management of the colonial business, giving him the power to demand almost what fees he might think proper. The consequence was, that where ships of other nations were furnished with three or four certificates, British ships were obliged to

take eight or nine, because, upon every certificate furnished, the vice-consul was entitled to a fee.

The Marquis of *Londonderry* doubted the correctness of the statements contained in the petition; but on a future occasion he should be better prepared to discuss its merits.

Mr. *T. Wilson*, seeing the indisposition of the noble marquis, wished to avoid discussion at the present moment. It was evident, however, that if one half of the complaints contained in the petition were well-founded, the consul-general, instead of serving the British interest, was doing every thing to oppress it.

The petition was ordered to be printed.

State of Ireland.] Sir *J. Newport*, in bringing forward his motion upon this subject, assured the House most unfeignedly that he had never addressed them under feelings of greater embarrassment. His duty (and he felt it to be an urgent duty) was, to call the attention of parliament to the present condition of Ireland; never had the state of that country more imperiously required attention: But although he had frequently been compelled to press upon the consideration of that House the wretched state of the Irish population, and the manifold grievances under which that population suffered. He now experienced something, he would not call it of reluctance, but something like unpleasant feeling towards the task which he was once more to undertake. He experienced this feeling the more forcibly, because the motion which his present address to the House was intended to introduce would be nearly the same with that which he had submitted to them in 1816—which he had then brought forward under the support of three most intelligent, most eloquent, most enlightened friends—two out of these most able advocates of Ireland, and of the rights of Ireland, unfortunately for their country have sunk into the grave. When I mention Mr. Ponsonby, is it necessary to add to that name the attribute of ability or of information? The House knows the opportunities he enjoyed of acquiring information, and the ability with which he applied that knowledge to whatever he undertook. The second is a name identified with that of the country which gave him birth. He watched over her cradle; he followed her hearse; and after opposing with unequalled vigour the extinction of her separate parliament, he transferred to this assembly the impassioned, and enlightened eloquence in defence of Ireland which you have witnessed with enthusiastic admiration. To the third valued friend (Mr. Plunkett), I allude with sentiments of painful interest. I received from him on the former question that most powerful assistance, which he is so eminently qualified to bestow, and I fear that, from the different view he takes of its present application, I am not now warranted to expect it.

Thus circumstanced, I must feel, the House will feel, and I fear the claims of Ireland will feel the incompetency of their advocate. I will trouble the House at as little length as the importance of the subject will allow, but must endeavour to trace out a sketch of the progress of Ireland from the commencement of her difficulties to the very distressing, and embarrassed condition in which she is now placed. I will endeavour to condense my statement; but, in showing the progress which Ireland has made during succeeding centuries, to her existing state of disorganization and distress, it is my indispensible duty, to point out the causes to which I consider that distress attributable. By a close examination of the causes of those evils alone, can the legislature hope to apply remedial measures adequate to their removal.

How was it, he would first ask, that a population so numerous, inhabiting a country unexampled in fertility, composed of men who had distinguished themselves in every quarter of the globe by their activity, intrepidity and intelligence, should appear degraded only in the island which gave them birth? The question cannot be answered, but by reference to the system under [illegible] they are governed. Ireland occup[illegible] area of nearly nineteen millions of English acres of most productive soil. Its population has increased from about two millions in 1747, to nearly six millions by the loose calculation of 1814, and about seven millions by the census of the last year. For a population then, of seven millions of men, in a country such as I have described it, the House is called upon to legislate—to rescue them from the system under which they have so long suffered, and to teach them, what hitherto they have unhappily not experienced, that legislation is a blessing. They have had, indeed, no reason to believe their government to be a bles-

sing: for I might, in three words, sum up the principle (if principle it can be called) on which Ireland has been ruled, Divide and Govern. That has been the principle of Irish government—it is the principle which has embittered all the feelings, it has not paralyzed but misdirected all the energies of Irishmen, and made them look upon their superiors as their oppressors. Let the House look to every page of primate Boulter's Letters. Let them observe him on the subject of Wood's halfpence, deprecating the measure on the part of England, because it had tended and would tend to unite the people.

To what a state must the country be reduced, when one of its governors at the head of its church, objects to a measure merely because, it would tend to unite the people doubly-entitled to his care!

Before the Union, the progress of taxation in Ireland had been comparatively moderate, and I am perfectly convinced, that had parliament, since the Union, pursued the course which wisdom dictated with respect to this object, it would have been precisely the reverse of that which they have adopted. It is manifest that one of the evils of Ireland, confessedly prominent in the list of those under which she suffers, is the magnitude and number of her absentee proprietors. By their absence the people are deprived of those to whom they could with confidence look up, and whom they might consider as their natural protectors. They have lost in their absence that care and attention to their wants which resident landed gentry are alone calculated to afford, and which keeps up in the gradation of ranks that interchange of good offices, which binds together all classes of society, from the cottage of the peas[illegible]the throne of the sovereign. It be[illegible]hen, as I conceive, the duty of an [illegible]tened parliament to counteract by prudent legislation, so far as legislation can effect it, the tendency to increase of absenteeship which the union of the two kingdoms under one parliament, of necessity induced; and this could only be effected by guarding strictly against any improvident increase of internal local taxation which might have the effect of impelling the landed proprietors to quit their proper sphere of duties in the country from whence they derive their income. Up to the period of the Union, as I have before observed, Ireland was lightly taxed. Since that period, taxation, and especially local taxation, has been infinitely increased; and the result has been, not increase, but manifest and signal diminution of revenue. I have in every succeeding year opposed the increase of internal local taxation, and again and again stated to the House that the finance ministers would reap from the system "a harvest of discontent but not of revenue." The House has now before it positive proofs that my predictions were unhappily too well-founded: you have reaped a plentiful harvest, not of ways and means, but of debt and of discontent; and what is still more, far more, to be lamented, you have broken the spirit of the gentry of Ireland—deprived of the influence which they formerly possessed (and rightfully possessed by the power of doing good), too many from the pride natural to persons of their rank in society, could not brook to alter their mode of living amongst those with whom they were accustomed to dwell in affluence; they transported their families to some English watering-place, and, consigned to obscurity in lodgings, ceased to occupy their family demesnes, increasing all the national evils under which they themselves suffered. Nothing, I repeat, could be devised more injurious to Ireland, than the excess and rapidity with which taxation had advanced since the Union, and which has diminished not increased the revenue. Since 1808, the estimates of the finance ministers held out a nominal increase to the extent of four millions; and yet, so complete has been the delusion, that the amount of actual revenue is now less than in 1808. As a system of taxation it has entirely failed, and it has been shown more forcibly here than in any country, that the iron grasp of poverty has paralysed the efforts of the tax-gatherer, and placed a limit to the omnipotence of parliament. The taxes increased—the revenue diminished—the only augmentation observable, and that in a fearful degree, was, the increase of debt and discontent. To prevent national bankruptcy, the Exchequers of the two countries were consolidated in the year 1816; and this country was charged with the debt of both. About seven years previous to this event, I was asked by an hon. friend the member for Taunton (Mr. Baring), when Ireland would repay the debt which England was annually contracting on her account, and my reply was "Never"—I added, that at the period of the Union, Ireland was

charged with two seventeenth parts of the general contribution, which was more than double the amount of her just proportion, on any fair calculation of her resources. One seventeenth which was far more than ought to have been exacted, she actually had paid from taxation into the Exchequer; the remainder was raised by loans incurred nominally by Ireland, but really by England, and which England would be left to pay.

Under all its privations and distresses the fertility of Ireland is unabated. That country for which, as has been truly and eloquently said, Providence has done so much, and man so little, but to mar the good which Providence bestowed—That country, though still labouring under the evils engendered by that odious and never-to-be-named without abhorrence penal code, is still so fertile, that its exports of produce yearly increase. But this increase is no proof of the increased comforts of its population; for, as was once said by Mr. Henry Boyle, and truly said, there was no country on the earth so fertile whose inhabitants consumed so little of their own produce. He said this of two millions of men in 1747; and I will now assert in 1822, that no people on earth consume less of their native productions than the seven millions who compose the population of Ireland. The exports have increased, because the bounty of Providence outruns the oppression of man, and misgovernment cannot altogether counteract the beneficence of Heaven.

On the 24th of April 1816, I offered to the House resolutions nearly similar to those with which I shall this night conclude. The discussion of the question on that occasion had been postponed from the 4th to the 24th, in consequence of the very small attendance of members on the former day. Much regret was evinced at the thin attendance, and the noble marquis expressed his hope that parliament would by a very full meeting declare their determination to give to the subject their most serious attention. He added, that it "now behoved parliament to watch over the rising greatness of Ireland, and that it was necessary to inquire and discover the causes of the evils which had so long oppressed her." How the term "rising greatness" could or can apply to the state of Ireland, I cannot discover; except, in the sarcastic sense in which a medalist of the Low Countries alluded to the power of Philip the 3rd of Spain on the loss of his Belgic possessions, "whose greatness was like a ditch which the more you took from it the greater it grew."

But the noble lord had then said, it was the duty of parliament to inquire into and discover a remedy for the evils which had so long oppressed Ireland. Six years had since elapsed! Is it too much to ask, what has been effected and what is in contemplation? It will perhaps be said, that though we may with reason expect much from the noble lord at the head of the Irish government, yet the very limited time since he had occupied that station did not afford opportunity of sufficient information on this arduous subject—I admit the validity of the excuse to a certain extent, on the part of the noble marquis in his present capacity; but I cannot but believe him to have possessed much previous information which would qualify my noble friend, for such I am proud to call him, to pronounce a pretty decisive opinion on the situation of Ireland—on its wants, and on the evils which oppress it. In the cabinet, too, are several members to whom that subject must be sufficiently familiar. The secretary of state of the home department had been for several years entrusted specially with the care of that country. He might, therefore, be supposed, ere now, to have made up his mind as to the remedial measures which should be applied. In the year 1816, when this subject was discussed in another House, the noble lord at the head of the Treasury stated, that the attention of government had been bestowed on the condition of Ireland, and particularly on its tithe system; and added, that the same obstacles did not present themselves there to a commutation of tithes as in this country. It is now full time that those plans, whatever they were, should be matured. Six years have since passed away, and the infant project of the day may now be fairly presumed to have attained maturity, and be ripe for promulgation. I now call on ministers to produce and act upon these plans—as three months since, the House consented to measures to strengthen the hands of the executive government, in order to put down rebellion. I would now call upon them to express their anxious desire to concur in inquiry, as to the evils which have caused the recent and former disturbances, to try if possi-

ble to remove grievances, where grievances exist, and by mild and conciliatory measures to restore order and happiness to that long-harassed and afflicted people.

It was justly said, on a former occasion by my right hon. and learned friend, that exile, imprisonment and death, are not the proper instruments of a well-regulated government—they are rather the instruments resorted to in the absence of all government. I now wish, after these dreadful measures have produced their effect in enforcing due submission to the laws, that mildness and a conciliatory system should be resorted to; having taught the people that powers far exceeding the ordinary course of law would be resorted to, effectually to suppress insurrection, let us now convince them that this is not the system on which they are to be governed, but an exception to that system introduced by their own misconduct. It is not the rule, but the exception; for God forbid it should be ever introduced in either of these islands as the system of governing the people.

I believe the conviction is deeply impressed on Ireland, that the legislature and the executive government with a firm and steady hand, will put down and punish insurrectionary outrage; I consider it now to be the duty of parliament to let them also feel, that coercion alone is not intended, but that by diligent and impartial inquiry the existing evils will be traced to their source. By no other course can an effectual remedy be applied; by no other course can they attain that equal participation of beneficent and protecting law which is felt and valued as it deserves in this country; which is inseparable from all good government, and which so largely contributes to the morality and the happiness of the people.

If I could suppose the House would act merely from partial and interested views, I might, state, that as a commercial and manufacturing people, this country is deeply interested in the prosperity of Ireland; as she becomes impoverished and distressed, the export of British manufactures to that market, of which Britain enjoys the monopoly, will be proportionably diminished.

In adverting to the question of tithes, which no one can deny are a source of the greatest irritation, and intimately affecting the tranquillity of Ireland; I shall be perhaps told, that any interference in that question would be an invasion of the rights of the church. I shall be perhaps told this by some who were parties to the oppressive act of 1800, that ratified the vote of 1734, and stripped the clergy of pasturage tithe. No man respects the rights of the church well understood more than I do; nor would I ever have been assenting to a measure which, releasing the rich pasturage proprietor from the claims of the clergy, left them dependant for support exclusively on the agricultural tenant: it was an act of gross injustice committed for a very problematical object. But whilst we respect the rights of the church, shall we not also respect the rights of the people? Are they not worthy the attention of the House? It is amongst the marked characteristics of the odious tithe system, that abuse is inherent in and inseparable from it as exercised in Ireland. More, infinitely more, is wrung from the people than ever reaches the pockets of the clergy; in the process of collection, the peasants and small farmers are delivered over to the tender mercies of a most rapacious class of men, whose unfeeling conduct excites daily disputes and contention, and whose exactions wrests from the unfortunate poor, in the case of potatoe tithe especially, the scanty subsistence of his wretched family. It is impossible the tithe system can be thus continued, but to entail eternal disquiet and misery on Ireland.

Before I conclude, let me add, as the greatest of all the evils which afflict the country, the failure to identify every class of its inhabitants with the enjoyment or capacity to enjoy, equal rights and privileges under the constitution. I will admit that the repeal of that part of the penal code which remains may not be instantly productive of the happy results which we who support that repeal sanguinely anticipate; but till that line of demarcation be removed, permanent tranquillity cannot be looked for. We cannot at once heal all the wounds inflicted by a system which alienated father from son, and brother from brother; which destroyed the best feelings of our nature, and brought one class of society in daily hostile contact with the other. The irritation arising out of such a system cannot be at once allayed; but the total and absolute destruction of the system, must be the basis on which the pacification of Ireland can alone be effected. It has been said, and tauntingly said, that many of the evils of which we complain

grew out of what some gentlemen are pleased to term the vicious propensities of the population of the country. How happens it, that out of their own land no such feelings operate, but that the same causes of excitement do not there exist. I will not farther delay the House. Although the motion with which I shall conclude is as little calculated to excite hostile controversy as could be devised, it is I understand, to be put aside on the old hacknied ground, that the fit period is not yet arrived. This has been the answer to every motion for inquiry into the state of Ireland during more than twenty years. We are ever told to look to the *morrow* but that *morrow* never arrives; and whilst measure after measure of coercion, of penalty, of death is passed, and on each enactment some measure of conciliation is held up in prospect, the time for its adoption is always deferred. I therefore move you,

"That an humble address be presented to his majesty, to represent that the melancholy details contained in his majesty's gracious speech from the Throne, and the documents laid before us at the opening of the session of parliament, respecting the internal disquiet of considerable districts of Ireland, oblige us to consider the state of that extensive and valuable part of the United Kingdom as most distressing and afflicting to the legislature, and dangerous in an extreme degree to the well-being of the empire:

"That, under circumstances of daring insubordination to the laws, atrocious outrage, and insurrection, parliament deemed it to be its first duty to arm the executive government with all the powers which were considered requisite to punish outrage, to suppress insurrection, and to restore its accustomed and salutary energy to the administration of constitutional law:

"That we trust that the confidence placed by parliament in the executive government of Ireland will be found to have been justified by a mild and temperate, yet firm exercise of these extraordinary powers, and calculated to produce most beneficial present results.

"That having thus provided for this calamitous emergency, with reference to its immediate pressure, we feel ourselves now called upon to look to the great ulterior object of a progressive and permanent amelioration of the condition and moral habits of the people:

"That decidedly impressed with a conviction of the alarming consequences which must result from a longer continuance of the disorganized state of Ireland, which has compelled the frequent recurrence of applications to parliament for a suspension of constitutional law, and feeling the serious responsibility which must attach on the ministers of the Crown, and on this House, from longer delaying to examine fully and effectually into the causes of that disorganization, we desire to assure his majesty of the zealous co-operation of this House in the immediate pursuit of this most desirable object, and in perfecting such a system of remedial measures as may be recommended by his majesty, to secure to that portion of the United Kingdom the uninterrupted protection of mild and equal laws, and, under their benign and salutary influence, to effect that valuable improvement in the condition of the people which is indispensably connected with the best interests and prosperity of the state."

Mr. *Goulburn* said, if the right hon. baronet had felt embarrassed in rising on this subject, how much more embarrassed must he (Mr. G.) feel, in offering himself to the notice of the House, to speak on the affairs of a country with which he had been connected for so short a time, and with talents so inferior to those of the right hon. baronet. But while he thought it necessary to claim the indulgence of the House, he would engage to follow the example of the right hon. baronet, by not trespassing on their time longer than the importance of the subject demanded. With respect to the question now before the House, he trusted that he should not much err when he considered the object of the right hon. baronet in bringing it forward to be rather to promote a discussion on the affairs of Ireland than to carry the address itself. He did not deny but there were facts and arguments embraced by the address which he was not prepared to dispute, and in which he was ready to concur. He agreed that disorders had prevailed in Ireland—that to meet those disorders the House in its wisdom had given the government of that country the extraordinary powers which were thought necessary for that purpose—nor could he doubt that those powers would be found to have been used with that firmness which was necessary to put down the disorders which prevailed, yet at the same time with

that mildness and moderation which ought always to attend the exercise of powers like those alluded to. He did not deny that such measures ought not to form the rule of any government. He agreed that it was the duty of the government in the first instance, to control those ardent spirits which were found engaged in acts of rebellion and outrage; and he also agreed, that that being accomplished, they had the higher duty to perform of endeavouring to root out the cause of the evil. To ascertain the real grounds of complaint was that which it was their duty to do—to enquire what would be the proper remedy, and to come to parliament for such measures as promised to supply a permanent cure. But, concurring with the right hon. baronet in all these instances, he could not go a step farther, and say that it would be proper to present to the throne the address now before the House. It was not sufficient ground for presenting an address to the Crown, that the facts which it stated were true. The real object which the address had in view, the effect which it was to produce on the public, were the considerations by which its adoption or rejection were to be governed. The address, if taken simply according to the words it contained, would seem to instruct the Crown what was the duty of a government, and it would be no very gracious compliment to the government in question, to suppose it so destitute of capacity, as not to be aware, that the first principles on which a government should act, required of them that they should not only punish crimes when committed, but that they should endeavour to root out the cause. But the address went further than this. Every one who had sat any time in that House well knew the motives with which such resolutions were brought forward, and the grounds on which they were resisted. The government so advised to attend to its duty, must, if such an address were carried, be supposed to have neglected it hitherto, or not to have known what its duty was; and would, in either case, appear to be unworthy of the confidence of that House.

Viewing it in this light he must object to the adoption of the address, and he would proceed to state some reasons why, in his judgment, the Irish government did not deserve that an imputation of this sort should be thrown on them, and why it would not only be unjust to the government, but detrimental to the country. If the present government had been long in the administration of Irish affairs—if they had had a full period for the consideration of all the topics which the right hon. baronet had mentioned, and of many others which it was necessary to consider, then, indeed, he would admit that there might be some ground for doubting either their willingness or their capacity, to enter into the investigation which was imperatively demanded of them. But he begged leave to impress upon the consideration of the House the very short period which the actual government of Ireland had been in power. They had been in the exercise of their authority for little more than three months, and they were now called upon at once to remedy the evils of centuries, or to submit to the censure conveyed in such an address as that proposed by the right hon. baronet. Such a course was not one calculated to animate the Irish government in their exertions. Let it also be remembered, that the question which the present government of Ireland were called upon so suddenly to decide, was one involving the permanent interests of that country—that it was one with which all preceding governments had found it impracticable to deal—that it was one which, according to the right hon. baronet's own acknowledgment, was replete with intricacy and difficulty. That intricacy and that difficulty had indeed been abundantly evinced in the fruitless attention which former governments had bestowed on the subject, and in the very slow steps which had been taken by those governments towards the removal of the evils, the existence of which was on all sides acknowledged. In that view of the subject, he would, therefore, again appeal to the House, whether or not the present government, which had not been in power for more than three months, or rather for more than seven weeks (for that had been the actual duration of their authority), could be expected at once to remedy evils, the cure of which, former governments, with equal anxiety and with considerable diligence, had, during the long period of their existence, found it difficult, and, in some cases, impossible to accomplish.

But, if this were not considered a sufficient answer to the right hon. baronet's proposition, he had another and a more serious ground on which to rest his opposition to that proposition. Whatever

opinion hon. gentlemen might entertain as to any particular government; whether they might think that government deserving of censure or of approbation, he thought that they must all agree with him, that to take a moment of great public difficulty, to take a moment at which all that could be depended upon for the preservation of the laws was the authority of the government to whom the execution of those laws was confided, to take such a moment for the purpose of telling the people who were governed, that their governors were not entitled to the confidence of parliament, would be a proceeding fraught with consequences, the extent of the danger of which could be fully appreciated only by those who were familiar with the actual condition and feelings of the people of Ireland at the present moment. It was idle to suppose for a moment that the people of Ireland would remain ignorant of the real meaning of the proceedings of parliament. The Irish people were gifted with a quickness of apprehension which probably excelled that of any other people in the world; they were perfectly capable of estimating the object of the right hon. baronet's motion; and if by assenting to it the House of Commons should show that they had withdrawn their confidence from the existing government, he wished to ask whether it was probable that such a step would render the people of Ireland better inclined to pay that deference to the government which was indispensable to the due exercise of their authority for the general good?

The right hon. baronet appeared to attribute the evils which had been so long desolating Ireland to three main causes; the first, the long misgovernment of that country; the second, the large revenue raised in it; the third, the system of tithes. The right hon. baronet had superadded another cause—the Roman Catholic disabilities. To speak first of that point, which was the last touched upon by the right hon. baronet—the Roman Catholic question. He was ready most distinctly to declare his opinion, that it was a question fully entitled to a separate discussion in parliament. It was too important a subject to be treated incidentally, and with a host of other topics. It was a question affecting not Ireland merely, but the whole empire. It was a question to be decided on a full and serious consideration of the condition and claims of the Protestants on the one hand, and of the Catholics on the other. Whenever that question should be brought forward, would be the fit time for himself and for others to declare their sentiments upon it, whether in favour of a continuance of the present system, or in favour of any other system to be adopted in substitution of the present. But, with the recent and existing disturbances in Ireland, he must say, that he thought the Catholic question, important as it was, had nothing whatever to do. The result of all the inquiries which he had made on the subject (and he could assure the House that he had missed no opportunity of inquiry) was, to satisfy him, that the present disturbances of Ireland in no way originated or depended upon the settlement of the Catholic question. It was certainly true, that in the progress of those disturbances, there might have been indications of religious feeling on the part of those who were engaged in them. The fact being, that the lower classes were generally Catholics, and the higher classes generally Protestant, it was very natural that those who saw the former leagued and conspiring against the latter, and who at the same time saw that the one class was Catholic and the other Protestant, should erroneously assign religious differences as the cause of the disturbance, instead of those real motives which influenced the minds of the agitators.

With respect to the long misgovernment of Ireland, he was by no means disposed to deny, what every one who knew any thing of the history and condition of Ireland was perfectly aware of, that the early misgovernment of that country, or rather the course which was adopted on its conquest, was one of the main causes of all the evils that had since occurred. The conquest of Ireland had been conducted on principles more adverse to the happiness of the people than any event of a similar nature that had ever occurred in the history of the world. No attempt had been made, on the part of the conqueror, to conciliate the conquered, or to amalgamate themselves with the mass of the people. On the contrary, the policy which had been pursued was to keep the two parties distinct and separate; thereby laying the foundation of that bitter animosity which had been since handed down from father to son, and which at that very moment pervaded the

minds of the great body of the Irish peasantry. In support of that opinion, he need only refer the House to the popular and familiar songs and tales of the country, to the disposition which the Irish peasant uniformly evinced to harp with fondness on the period when the English name was unknown in Ireland, and when Ireland was stated to have been the glory of the world superior to all the countries by which she was surrounded. Up to that very moment, the conduct which had been pursued on the conquest of Ireland was referred to in that country as a just ground for hatred of the existing government. To the original error of the first conquerors of Ireland, he mainly attributed the evils now the subject of complaint. Though errors might be imputed to the English government, he thought it was clear that in latter times much of the difficulty of Ireland had grown out of the habits of the natives, from the difference of feeling between this country and that, and from the embarrassment which the legislature had felt in applying laws, framed for the government of one country, to the peculiar circumstances of the other. —The next cause to which the right hon. baronet attributed the disturbances in Ireland was, the amount of revenue demanded from that country. But, in the course of his speech, the right hon. baronet had afforded an answer to his own argument. The right hon. baronet first contended that Ireland had been too highly taxed at the Union; that to pay two-seventeenths of the expenditure of the empire was beyond her ability; and that this severe taxation had driven the landed proprietors out of the country, and had thereby entailed on the great mass of the Irish population the miseries which they were enduring. But, in the progress of his argument, the right hon. baronet admitted, that although, by the act of union, it was provided that Ireland should contribute two-seventeenths to the expenditure of the empire (which was now allowed on all hands to be more than she was able to do), yet that this country had since taken on herself the debt of Ireland, by which proceeding Ireland had, in fact, been actually called upon for no more than one-seventeenth instead of two-seventeenths. In answer to the assertion of the right hon. baronet, that the severe taxation in Ireland had driven the Irish gentry to this country, he would merely call the recollection of the House to the amount of the taxation in this country during the war. Without entering into any argument as to the amount of taxation in Ireland—without inquiring whether it was too severe or not — without considering whether it might or might not have produced much serious injury and oppression—he would merely ask, whether, at a period when the rate of taxation in this country was incalculably greater than the rate of taxation in Ireland, it was probable that any man would fly from the one country in which the taxes were comparatively light, to take refuge in another country where they were so positively burthensome? He, therefore, felt it impossible to understand in what way the amount of taxation in Ireland had occasioned the absence of the landed proprietors of that country.—The last cause to which the right hon. baronet had ascribed the existing state of things in Ireland was, the system of tithes. On that question he would say, as he had already said of another great question, that it was so intricate, so extensive, had so many bearings, and was attended by so many difficulties, that it might well require a distinct and separate discussion by parliament. He presumed, from the short and succinct mode in which the right hon. baronet treated that part of the subject, that he entertained a similar opinion. The right hon. baronet said, that in considering the rights of the church, they must not forget the rights of the people. Undoubtedly, parliament ought impartially to weigh both those interests. But it ought never to be forgotten, in whatever light the question of tithes, whether in this country or in Ireland, was viewed, that they formed a portion of the property of the country; and that, whatever principle parliament applied to the question of tithes, they might be subsequently called upon to apply to every other description of property. As to the intervention of a third person between the payer and the receiver of tithes forming a ground for invading the rights of the church, he begged leave to ask those hon. gentlemen who were connected with Ireland, if a similar intervention did not exist with reference to other descriptions of property? Few of the owners of land in Ireland let their land to the immediate occupier. There was, with respect to land, as with respect to tithes, the intervention of a third person, whose agency had the effect of enhancing the

charge to those who had to pay, and diminishing the proceeds to those who had to receive. Parliament, therefore, would do well to recollect that the same practice existed with reference to other property as with reference to tithes, and to pause before they commenced a course of change which, in its progress, might involve the whole property of the country in confusion. He had felt it his duty to make those general observations upon a subject, the difficulties and embarrassments of which were very sensibly felt by the government of Ireland; but he must also say, that he did not consider the question of tithes to form any material cause of the existing disturbances in Ireland. He certainly knew that in the notices and denunciations to which he had already alluded, tithes were specified as a source of grievance; but so was the rent of land, so was the levying of taxes, so was the salary of the priests, so was every thing in the shape of payment, by which the income of individuals or the executive authority of the government was to be maintained. The fact was, that the materials of disturbance in Ireland had been growing ever since the termination of the war. In that country, as in this, every means had been adopted to create dissatisfaction and to light the flame of insurrection among the inferior classes of the people; and, in furtherance of that design, the subject of tithes had been enumerated among the grievances of the people; not so much because it was a real grievance, as because it suited the purpose of the agitators so to characterize it.

Having disposed of the three important branches of the question, it only remained for him to allude to what had been the conduct of the present government of Ireland, and to its intentions for the future. When the government arrived in Ireland, the period was not one of the most auspicious. The disturbances and tumults which then prevailed were such as had not been known for a considerable time past, and such as ultimately broke out into open insurrection against the laws and government of the country. It, therefore, became the paramount duty of the administrators of that Government to turn their first attention to the suppression of those dangerous outrages which menaced the country with ruin. It was true that at present those outrages had been in some parts subdued; but the House would deceive themselves if, because they did not now prevail to the same extent, in the counties of Cork and Limerick, as before, they concluded that the evils had been entirely removed. Partial tranquillity, he was happy to know, had been brought about; and if they meant to make it general and universal, they must pursue the course which had already been attended with this partial benefit. The measures which parliament thought it wise to adopt had been attended with the result of driving the disaffected and the turbulent to more distant parts of the country, where their scenes of atrocity were repeated, not certainly to the extent with which they were committed in Limerick, but to such an extent as would demand the continuance of those measures until they were exterminated altogether. He could not better describe the state of the South of Ireland, than by stating that there was no county in which the police was sufficient to protect the peaceable; and that in five counties the Insurrection act was enforced. It was only yesterday that he had received letters informing him of the perpetration of two murders committed in the county of Kilkenny, which corresponded precisely with the character of those horrible atrocities which had occurred in other parts of the country. One case was that of a servant serving a particular farmer, who had incurred the displeasure of the wretched and deluded people. He had been served with a notice not to continue in the service of his master, but the unfortunate man was unshaken in his determination, and the next morning he was shot in open day by persons who had been lying in wait for him. He could sincerely assure the House that however much the attention of the government of Ireland had necessarily been occupied by the subjects to which he had just alluded, and in taking such measures as would answer the call of the resident gentry for protection against the atrocious outrages with which they were menaced, they had, nevertheless, not neglected to take into consideration, not only the topics to which the right hon. baronet had adverted, but others not less important to the permanent interests of the country. The noble marquis at the head of the Irish government had applied his great talents most anxiously and unceasingly to the investigation of the causes of the unhappy state of society in that country. Before he (Mr. G.) left the seat of government, that noble lord had proceeded to a considerable ex-

tent in his inquiries and investigations. But when his right hon. friend the attorney-general, and himself were absent attending to their duties in parliament, the difficulties of communication, which their separation from the lord lieutenant occasioned necessarily created delay in the execution of any measures which might be in contemplation. If, under such circumstances, the government had not ventured to propose, or were not now prepared with, measures to remedy such vast and deeply-rooted evils, it could not reasonably be imputed to a want of disposition on their part to secure the tranquillity of Ireland. When the government should have had time to take into full consideration the present grievances under which Ireland was labouring, he should be prepared to state what measures it was inclined to adopt, or else to give reasons for not adopting any, if such should seem the wiser policy. The measures that were now under the consideration of government were of such a nature as would remove from it the censure which the address of the right hon. baronet, if acceded to, would inflict upon it. He trusted, however, that the topics which he had the honour of urging to the House, would convince it that it would be at once impolitic and unjust to send forth the Irish government to administer the affairs of that country, under an impression that they had deserved the censure of the House, by neglecting those measures which were absolutely necessary to its welfare and tranquillization. The hon. secretary concluded by moving the previous question.

Mr. *N. Calvert* expressed his intentions of supporting the motion, and was desirous of stating briefly the reasons why he did so. The hon. member then proceeded to draw a comparison between the population and the revenues of Scotland and Ireland. He stated, that the population of Ireland was two-thirds greater than that of Scotland, notwithstanding which the revenues of the two countries were only equal. He was convinced, that, properly managed and governed, Ireland would be as productive to the means of the empire as any other of its branches. He did not mean to impute the least blame to the existing government of Ireland. It was to those governments which had passed away, that all her miseries were to be ascribed.

Mr. *Spring Rice* felt, that on an occasion of so much importance it was the duty of every man to state the truth and the whole truth. He really was quite at a loss to conceive on what ground the right hon. the chief secretary for Ireland could conceive that the address proposed by his right hon. friend comprehended any stigma on the actual government of that country. Had that right hon. gentleman been in his place in the early part of the present session, he would have seen by the course taken by the legislature, that, so far was inquiry from being deprecated, it was expressly provided for by the manner in which the bills respecting Ireland passed through the House. Although the noble marquis at the head of the government was not sanguine enough to hope that the measures which he proposed for adoption would be sufficient to eradicate the evils for which they were intended as a remedy, if they were suffered to expire in six months, still their duration was limited to that period. Why had they been so limited, unless it were to allow a discussion like the present to take place, in order to show that parliament had not been entrapped, without due consideration, into the measures of severity to which it then gave its sanction? The acts to which he referred had been passed with the utmost possible quickness—the standing orders of the House had been suspended to forward them through their different stages. The suspension of the standing orders for the immediate passing of these bills was only justified; and was, indeed, only justifiable by the engagement which ministers and the House had made, that a full inquiry into the state of Ireland should take place before the renewal of these odious measures. It was therefore with a very bad grace that they were now to be told, when an inquiry was proposed, that it could not be granted, because it would infix a stigma on the government of Ireland. Suppose that it did so, still he maintained that they were bound to inquire whether their rapid legislation had been for the good of those to whom it was to be applied—whether it had been warranted by the emergency that had been alleged—and whether the same object might not have been accomplished by measures of a more generous and less coercive nature—measures which, at the same time that they made Ireland feel the strength of the imperial legislature, did not leave her entirely unacquainted with its mildness and benevolence.

The right hon. secretary had relieved him from the necessity of entering upon one point which had been strongly urged when this subject was last under discussion. It was then urged, that the distresses and disturbances of Ireland had originated with herself; that it was her own doing; and a doctrine had been maintained by the hon. member for Hertfordshire (Mr. W. Lamb), which went in its consequences to subvert all good feeling between the two countries: on the occasion to which he alluded, it had been observed (as indeed had been the case at other times when inquiry was resisted), "It is not the English government which has caused the evils of which you complain; the root of the grievance is among yourselves, and you must reform your own misdeeds before the country can be ameliorated—we can afford you no relief, we can hardly extend to you our sympathy." The right hon. gentleman had, however, refrained from following this example—he admitted a case of misgovernment, and the misery which had followed it; but he took care, in his admission, that the misgovernment should be of ancient date, and that whatever grievances existed, were to be traced to the misdeeds of times long past. When the right hon. gentleman admitted a case of misgovernment, he (Mr. Rice) was not aware within what limits of ancient history he meant to confine his admission: he was curious to find where the secretary for Ireland would place the commencement of the new system of wisdom and benevolence, and the close of that government of injustice and oppression. The right hon. gentleman had been peculiarly discreet. His shield was thrown over all kings and ministers of modern times, and the only persons whom he seemed willing to make the victims of his candour, were Henry the 2nd, and the earl of Pembroke, commonly called Strongbow [a laugh.] Though he agreed with the right hon. gentleman, that much of the desolation which had spread, and the bad feeling which existed, was to be attributed to the unhappy events of remote times, yet he must still contend that, by far the great majority of the evils which afflicted Ireland, were referrable to more recent transactions, and had their origin in a system of misgovernment of much later date. He would not now go into the remoter causes of the evil, though he agreed that much desolation and ill feeling was caused by the transactions of that period. He maintained, that the great mass of the present evils arose from misgovernment of a later date. For, allowing that the feudal rapacity of the first invaders, whose doctrine was plunder and extermination, had produced much evil, was there any man so silly as to contend, that a wise and enlightened government of one or two centuries, or even of fifty years, would not be sufficient to correct that evil?

He would not go back to trace all the causes which produced the present state of things in Ireland. He was aware of the difficulty and danger of entering upon such topics. He knew the irritation likely to be caused by such discussions in minds which, though perhaps at present comparatively tranquil, were still lightly to be irritated. He should therefore come at once to the policy of later times. If gentlemen would, for a moment, draw a comparison between the present state of England and Ireland, they would at once be struck by the melancholy contrast—indeed that contrast, as it regarded Ireland, was sufficient to excite feelings of horror in any thinking mind. It might be asked, "What has produced this difference?" To this he answered, that in England there was felt an equal dispensation of the laws—an equal distribution of justice. Every Englishman felt himself shielded and protected by the spirit of a free constitution. This had been at once the nurse and safeguard of their freedom and happiness. What was the situation of Ireland? Was there any man bold enough to say, that Ireland had also enjoyed a free constitution and an impartial administration of law or of justice? Had his unhappy country ever been taught to feel the advantage of an impartial administration of justice? At what period of its history had such a doctrine been inculcated among the people? Was it during the early progress of the popery laws? Look at those disgraceful statutes but recently expunged from the Statute-book. In thus adverting to this part of the subject, he did not mean to mix up the Catholic question with that then under discussion: another and a more proper period would arrive for discussing that question. But in as much as it was agreed upon all hands, both in and out of parliament, that these statutes were disgraceful, so far he had a right to use the argument to prove the unjust and impolitic manner in which that country had been governed.

Farther than this he did not mean at present to allude to the Catholic question, as its introduction might tend to create a difference of opinion. The right hon. gentleman opposite (Mr. Peel) would admit it to be one thing to defend the present state of the popery laws, and quite another to justify that atrocious and bloody code which formerly polluted their Statute book, and imprinted its character upon the passions of the people. How was it possible that a system of legislation carried on in such a spirit could fail in forming the character of the population exposed to its infliction? Then as to the constitutional freedom growing out of the doctrine of representative liberty, what opportunities had the people of Ireland to acquire any knowledge of that? Up to the year 1782 they had no constitution—they had no adequate representation. They had Houses of Parliament, it was true; but it was in vain to seek in them the guardian spirit of a legislature. There were legislative puppets at work in them, who, unfortunately for the country, went through the forms of statutable enactments; but all they did was for the injury of the people. It must be always recollected, that previously to the reign of the late king, the Irish parliament sat during the life of the monarch. Such was the case of that parliament of George 2nd, which sat for 21 years, without any attempt to infuse young blood into its system, and without any recurrence to that constituent body which could alone secure to it the safety and validity of its representative character. Up to the year 1782, then, Ireland could not be said to have a constitution, and the country at that era acquired one through the powerful exertions and brilliant eloquence of a right hon. gentleman now, alas, no more (Mr. Grattan), and about whom it would be a profanation for him to say one word. His name would ever remain the boast of his country; it would be at all times his best eulogy. That great man was not generally known in England as a public man, until the close of his illustrious life; but enough of him was seen in that House to entitle him to their admiration; and in private society he was sufficiently known to have been the delight of every circle for his suavity and mildness of his character. But it was in Ireland where his patriot name was felt with the warmest gratitude; it was there that he had laid for his admiring country the foundation of a constitution which would have laid a deep ground-work for the amelioration of the people's condition; which would have retrieved the national character from the deep stain of long misrule, had not the government of the day marred the aim of the patriot, and interposed its paralyzing influence. Though that great man had failed in achieving his god-like purpose, he had left behind him a name, second only to that of Washington, for the services he had planned in the regeneration of his country [Hear, hear!]. The government of Ireland had perverted the means by which the constitution of 1782 was intended to have been salutary. The use they made of the legislature of that day was, to employ the honours of one branch of it to corrupt the independence of the other. No term of reproach was too bad for application to such a system. To show the degraded station to which power sunk for the purposes of political prostitution, he need only refer the House to an extract from the evidence of the accountant-general in the 10th Report of the Irish commissioners of fees, which had been lately laid on their table, and which was as follows:

"Query 1st.—Style of the office?—Answers. Accountant-general of the court of Exchequer.—2nd. Name of the officer? John O'Neil.—3rd. By whom appointed, and at what period, and how, and on what condition and consideration? I was appointed by the duke of Rutland in August, 1784; my patent bears date the 5th Nov. 1784. With regard to the considerations and conditions, it is not my wish to enter into any details or explanations on that subject, but it seems I must obey. The consideration for which I was appointed, was my giving a seat in parliament for the borough of Rathcormick to Mr. Orde, the duke of Rutland's secretary; that seat was given to me by the duke of Portland, then prime minister, and lord Northington, then lord-lieutenant, as a public mark of the gratitude of his majesty's government for services rendered to it, at a period when a civil war was threatened between England and Ireland; and lord Northington, if he had remained here, was to have put me forward to distinguished situations in my profession as a barrister. A few days before my return to parliament was to have taken place, the administration was changed; and there being no other seat vacant, and members having at that time

no power to vacate their seats, the duke of Rutland requested me to relinquish my seat in favour of Mr. Orde, as his not being in parliament would be a great impediment to the public business: I complied with his request, and he and Mr. Orde assured me they would fulfil lord Northington's favourable intentions towards me. In about a year afterwards they gave me my present office, but there the performance of their promises stopped. When the duke of Portland again became prime minister, he wrote a letter to the duke of Richmond, in which he bore testimony to the justice of my claims on government, and strongly recommended me to him: on receiving the letter, his grace expressed his regret that there was no place then vacant, but he repeatedly promised to promote me when a favourable opportunity occurred; and on the death of the duke of Portland, he assured me that that event should not make the least difference in his intentions towards me: however, I must take it for granted, that in the course of seven years no favourable opportunity of fulfilling his grace's promises did occur, for his grace is gone, and I find myself in the same situation in which I was 30 years ago, and have now only to claim the title of being the oldest official fixture in his majesty's service. I believe there is no instance of any man, with such claims and such promises, remaining 30 years unpromoted."

After reading this, which was only one of innumerable examples of the same system which occurred, and were mentioned as matter of course, how could they be surprised at the state of the country in consequence? He did not mean, in reading this extract, to cast the slightest imputation upon the administration of the duke of Richmond, as he was sure that no one would be more ready to spurn from him any such transaction than the right hon. gentleman opposite (Mr. Peel), who had acted as secretary to that nobleman. But he could not help admiring the quiet sort of tone in which this accountant-general made his statement upon oath, as if this whole base and corrupt transaction had been a matter of course.

He now came down to the Irish rebellion of 1798, and to the Union which followed it. He should not, however, dwell upon these farther than by observing, that the circumstances of that Union, and the means used to carry the measure, were not such as were calculated to remedy the defects under which the national character of that country laboured. He would not rest satisfied with the concession of the Irish secretary, who admitted the misgovernment of Henry the 2nd, and perhaps of queen Elizabeth. He had no hesitation in attributing a considerable portion of the evils which now desolated Ireland to the 20 years government preceding the Union, to which indeed the last twenty years bore too strong and too fatal a resemblance. English oppression had lowered the national character of Ireland in early times, and the corruptions of the local government had nearly extinguished all political integrity at a later period. What was the first tribute which the imperial parliament of 1801 tendered to Ireland, in their first notice of the situation of that country after the Union. Their first statute was the Irish martial law bill; another, and another of the same character, succeeded in frightful succession, and all bore a striking resemblance to the fountain from which they sprung, in the former acts of the Irish parliament. He did not mean to quarrel with measures of coercion, when the unhappy state of the country called indispensably for their enactment.—He had shown that by his votes in the present session; but in tracing the history of Irish legislation both before and since the Union, there appeared, as it were, two streams passing through the channel of parliament. In one flowed acts of strenuous finance, or equally strong coercion; the one with great malice, and the other with great power. In the other channel, the struggle was made, but made in vain, to procure an examination into the state and condition of the people, in the hope of discovering and applying some remedy for their evils. It was curious, in tracing these proceedings, to observe with what a singularly felicitous uniformity the channel of coercion always flowed, and that of inquiry was always resisted and impeded. What he most lamented now was, that the present administration seemed prepared to follow the track of the last, and postpone that investigation without which all discussion was useless. The present is not the time, said they, to inquire. When was the proper time for inquiry and redress to arrive?—"Oh," said the present administration of Ireland, "we are but very young in office:—"Young we

are and sore afraid.'—We have not long held our offices, but do pray give us time, and you shall see what we will do for you" [Hear, hear!]. He feared that the present administrators becoming heirs to the promises of their predecessors, would become heirs to their performances also. As an instance how little such promises could be relied upon, he took the liberty of referring to a history of promises given, and promises violated on the tithe question. In the year 1808 a right hon. friend of his, the knight of Kerry (Mr. M. Fitzgerald) had asked the then chancellor of the exchequer (Mr. Perceval) whether any measure was contemplated on the tithe question? That minister expressed the pleasure he felt in replying, that a measure was under consideration, by which he hoped something would be done. In 1809 the same question was again started by another hon. friend (Sir H. Parnell), and he was also dissuaded by a similar promise from Mr. Secretary Dundas from entering upon the subject then. In 1810, another secretary (Mr. W. W. Pole), now a member of the upper House, promised that, during the recess, he would devote himself assiduously to the subject, and the same promise was renewed in the following year. It was not at that time deemed quite expedient to withdraw the consolation of hope and promise from the country; but it was only prolonged to be eventually cast aside; for when the question subsequently came under consideration, it was opposed by the same minister, and the same miserable system of shuffling and temporising marked the policy of the government, and continued the calamities of the people.—It was, in fact, a government, not of wisdom and sound policy, but of paltry shifts and trifling expedients. It was idle to talk of this or that not being the time for entering on inquiry, and affording redress. Let the case be judged by its merits—if this was not done, then, it was impossible that any permanent system could ever be introduced. When was it, according to this practice, that Ireland could hope for inquiry? In her day of prosperity it would be idle to call for it—the answer would then be, "See her situation—who calls for inquiry now?" In the time of adversity, the answer was, "Who can inquire in the heat of aggression; you must wait for more tranquil times?" Neither in tumult nor in peace, by day or by night, was the state of Ireland to be deemed ripe for inquiry.

"Soles occidere atque redire possunt,
———— ———— vobis
Nox est perpetua una dormienda."

But from his knowledge of his country, he must tell those gentlemen who did not think the fit period for inquiry had arrived, that the consequence of rejecting an address like this, which merely pledged them to inquiry, and to consider the expediency of conciliation, would be fatal to the repose of the people. It would do far more mischief than the most irritating and angry discussion upon grievances from which some anticipated bad consequences. He called upon the House to take this subject into their serious consideration. Their deliberations were looked to with the most watchful anxiety from the other side of the water. There was one thing more dangerous than discussion; it was despair [Hear, hear!]. It would be cruel to the people of Ireland if there were no attention to be paid to their distresses or their sufferings. It was idle to say, that the resolutions of his right hon. friend cast an imputation on the Irish government of the present day. Nothing but the ingenuity of the right hon. secretary for Ireland could extract such a meaning from those resolutions. No matter what were the feelings of that House upon certain political points; it was their duty to exert the best faculties which God and nature had given them for the purpose of remedying those evils which were admitted on all hands to exist in Ireland. He denied the right, in strict justice, of passing strong measures without inquiring into the causes which made those strong measures necessary. He denied the wisdom of such a proceeding as a question of policy. Let him not be mistaken upon this point. If more coercive measures were called for, let the necessity be proved, and he was ready to grant them; but, in God's name, let them at least first try the effect of conciliation. The present measure pledged no man to any thing more than inquiry; beyond this no man would be pledged to go. He would be the last man to introduce into discussion any thing calculated to create any personal hostility or ill feeling. In looking to the causes of the present distresses, he was not mad enough to suppose that the legislature could by one act at once put an end to those distresses. But they could, at least, prevent those distresses from spreading and increasing. If the previous mode of governing Ireland

had been found wrong, it surely was not too much to call upon government to retrace its steps.—It was said, that they ought to propose specific measures in the outset, and that then it would be found that many of the proposed specifics were inapplicable to the grievances with which some connected them. The right hon. gentleman had truly said, that tithes were not the exclusive cause of the present disorganization in Ireland; but he must concede to him (Mr. Rice) that they were mixed up in all the disturbances which so long prevailed, and it would be futile to devise any measure of relief which did not include an adjustment of the tithe question. If after all the magnificent expectations which had been held out upon that subject, the improvement was to end with the framing a bill to grant a power of leasing tithes, he would protest against the futility and inadequacy of such a measure; it would effect no good, and would leave all the difficulties to be still encountered; it would unsettle the whole subject, and prove a far less satisfactory or just measure towards the church than a commutation.

The hon. gentleman then referred to the petitions which had been presented to parliament from the extensive owners of tithes, praying for a commutation, and asked how their prayers could be overlooked? He then took an historical review of the course followed by the Irish parliament respecting tithes, and of the resolution voted in 1735, that House of Commons better known to hon. members as literary men than as politicians: he alluded to that memorable House of Commons described by Swift as the Legion Club. That House of Commons declared &c. &c. any man an enemy to his country who claimed a tithe upon grass land—a claim not made before 1720, but then made upon the ground of right. In 1800 the minister of that day, wishing the interests of the clergy not to depend upon what the primate of Ireland has called "a factious vote," removed the claim of tithe from the rich grass land which could afford to pay it, and imposed that particular tithe upon the labourer's tillage land, accumulating with a duplicate force the burthens of him who was least able to bear the pressure. On the whole, he knew no branch of the grievances of Ireland which more heavily pressed upon the condition and amelioration of society in that country than the question of tithes; and until that was rationally adjusted there could be no permanent prospect of tranquillity [Hear!]. It should also be remembered by English members, that whenever the tithe laws of Ireland were under discussion, there was not an Irishman in that House, whatever his political opinions, who did not join in calling for a revision of that system, as one which was oppressive to all classes, vexatious to those who paid, unsatisfactory to those who receive, and as rendering the Protestant church hateful and odious to the Catholics of Ireland. He could not conclude without saying a few words upon the present system of education in Ireland. He was happy to perceive that there had been in that country, during the administration of the two last secretaries, some approximation towards those British principles of education, which alone could create a well-ordered state of things in Ireland. It was by a strict attention to the education of the young, that they could form any hope of averting that system of demoralization, which unfortunately existed in that country. There were 8,000 schoolmasters employed in instructing the youth of Ireland; but if a general calculation were made of their labours, he feared that in too many instances the system of education would be found vicious and bad. What would the House think, for instance, of the circulation among the boys, as a sort of text-book, of the history of a freebooter who figured 50 years ago in Ireland, as captain Rock was now represented to figure? What could result from the diffusion of a taste for such books, but the most mischievous results? He thought that too much attention could not be directed to this point, as it was one upon which the future peace and tranquillity of Ireland mainly depended. But in this, as in all the other cases to which he alluded, the system was in fault. The system practised towards Ireland led to the conviction that no practical improvement was intended—that measures of severity and of coercion alone were to be put in force. He conjured the House not to overlook the opportunity of inducing the people of Ireland to believe that they were sincerely disposed to apply a practical remedy to their evils. The same afflicting state of things to which the attention of the House had been that night called, was, in some degree, considered and described in the discussions which had taken place within

those walls in 1816. These discussions he found stated in language so beautiful —marked by a spirit so fair and discriminating, and enlightened by a patriotism so clear and evident, that any extract which he might desire now to quote, he could only give effect to by repeating the very words in which it was recorded. "If the Insurrection act is to be continued," it was then stated; "if the people of Ireland was to be subjected to domiciliary visits in the night, to be liable to be imprisoned, and even transported, not by the verdict of a jury, but by summary commitment; if all these terrible miseries are to be inflicted, the House would neglect, would grossly abandon its duty, if they refused to inquire why such things were necessary, and how they were to be avoided. Exile and death were not the instruments of government but the miserable expedients which showed the absence of all government."* Mr. Rice hoped that these liberal opinions would not, on the present occasion, be discovered or abandoned by the hon. member who, in 1816, had pronounced them. It was in order that parliament might now interfere to rescue the people of Ireland from similar visitations, to preserve them from the same degradation to which they were subjected at the period just mentioned, that he (Mr. Rice) now called upon the House to support the motion of his right hon. friend [Cheers]. At the period of the Union what were the promises which had been made to the people of Ireland? It was then objected, that their representatives would find themselves among strangers—that they would be removed to a great distance from their countrymen and their estates—that they would be thrown entirely among English interests; and amidst a crowd of English members would form a distinct and unequal body. He (Mr. Rice) had never known that body as a distinct one in that House; and while he had the honour of sitting there, he would never acknowledge any such invidious distinction. To these objections it was answered, however, "Oh, no; you may trust an imperial parliament; you may rely upon the honour of gentlemen; for those in whom you will have to confide are Englishmen." It was to that honour that he now appealed. It was in the same spirit of honour that he now declared, that if there was any thing in the motion of the right hon. baronet which could justly cause it to be considered as a party measure, he trusted it would be treated as such, and in that character be rejected by his majesty's government. But in truth it was nothing like a party vote. It was brought forward in the same spirit of confidence in which his right hon. friend had, on a former occasion, proposed a similar course of proceeding: all that his right hon. friend now required, being to have something specific in the shape of a pledge on this occasion, in order to distinguish it from the mere general pledge of ministers in former parliaments, which had been repeatedly given, and as frequently violated.

Mr. *Charles Grant* rose and said:* Sir;—If I thought that the failure of the present motion would in the smallest degree tend to make the people of Ireland believe that this House is careless of their interests, I should feel more hesitation than I do in resolving on the vote which I shall this night give. But, as I trust it will produce no such impression, I shall follow, without scruple, the course which seems to me most advisable. I concur with most, if not all, of the statements and representations of my right hon. friend, and those who have supported him; but I cannot concur in his motion, because it appears to me to imply an unmerited censure on the Irish government. At the commencement of the session, Sir, I expressed my confidence in that government, and I am not aware that any thing has yet occurred which should induce me to withdraw that confidence. If I believed the reproach, apparently conveyed by this motion, to be just, I should most willingly accede to it; but, as my persuasion is of a different kind, it would be scarcely fair or honest in me to make myself a party to the implication. I am glad, however, that the important subject of the state of Ireland has been brought under the consideration of the House; and I shall beg leave to offer some remarks upon it, not in the presumptuous hope of adding much that is new, either in statement or argument, to what has already been so well said; but because I think it the duty of every member to supply the House, on this interesting subject with such information, however limited, as it may be in his power to afford.

* *Vide* Speech of the Right Hon. W. C. Plunkett, Debates Vol. 34, p. 43.

* From the original edition, printed for Hatchard and Son.

It is important for the House to bear in mind, that the disturbance which now prevails in Ireland, is not a single or an insulated occurrence. Unless this circumstance be always held in recollection, we shall be in danger of mistaking both the nature of the evil and the proper remedies to be applied. The fact is, that the present is only one of a series of commotions, closely resembling each other in their general character and in their leading or predisposing causes, which have, for the last sixty years, broken out in succession in different parts of Ireland, and principally in the south. The House will permit me, without entering on any long or fatiguing course of historical detail, to take a rapid review of some of the most prominent among the unhappy transactions to which I allude. The first occurred in 1760, and the actors in it were termed Levellers; and afterwards, from their wearing, as an uniform, white frocks or shirts over their clothes, White Boys. Its commencement may be traced to an inclosure of commons, in violation, as was urged by the occupiers, of the promises of their landlords. The tenants, debarred, by what they deemed an instance of flagrant breach of faith, from enjoying the rights of commonage to which they considered themselves entitled, proceeded to level the fences of the new inclosures, and to commit other outrages of a similar nature; and, having thus commenced a career of violence against their landlords, strictly in the character of Levellers, they very soon extended their hostilities to another quarter; and, under the more familiar appellation of White Boys, took upon themselves to resist the payment of tithes, and to attack the rights of the clergy.

This commotion desolated the south for several years: it would appear indeed not to have been finally composed until the year 1775-6; that at least is the date of the act which was passed in consequence of those troubles, and which is known by the title of the White Boy act. But though this act, in its present state, did not pass till 1775, an act of a similar nature, though milder in its provisions, intituled, "An Act to prevent for the future tumultuous Risings of Persons within this Kingdom," was first passed as a temporary law, in 1765, and renewed from time to time till 1775. Indeed the White Boy act itself was at first a temporary act.

In 1763 and 1764 appeared the Hearts of Oak in the county of Armagh. The discontent in this case originated in a grievance connected with the system of road-making; and here again, as in the former instance, the effect outgrew the immediate cause; the wretched people proceeding from the primary object of their hostility to contend against the payment of tithes, and to call for an abatement of the price of land. These tumults were quelled by the military power. It is remarkable, that this last is the only instance in which a law was passed specifically to meet the original cause of complaint; and, in the event, the enactment of that law was followed by the final restoration of tranquillity. In 1769, the counties of Antrim and Down were convulsed by the Hearts of Steel; a disturbance which, in its origin so far resembled the present, that its exciting cause was the resentment produced in the minds of a body of tenantry by what they deemed the oppressive conduct of the agents of a great landed proprietor. The evil was, as usual, suppressed by force; but, in order to prevent the recurrence of the same or similar disorders, the Irish legislature, in 1775, passed the White Boy act already mentioned. The ill success, however, which has attended the operation of that law, notwithstanding the unexampled severity of its provisions, may supply another proof how little is to be expected from the sanguinary policy to which England has so frequently resorted in the government of her Irish dominions.

In 1787, a very formidable disturbance broke out in the province of Munster, and continued to rage for years with singular violence, the fury of the rioters being peculiarly directed against the clergy. A little earlier, or in 1785, commotions of a still more alarming nature commenced in the north; where two parties were formed, called Peep-of-Day Boys and Defenders. They were arrayed against each other, and not, as to their immediate objects at least, against the government; but their acts were of the most lawless nature; and, gradually increasing in numbers and animosity, they, in 1788, assumed a character so formidable, that it was impossible, without serious apprehension, to look forward to the ultimate issue of their proceedings. They used to meet in large bodies, provided with fire-arms and other implements

of destruction, and to engage in pitched battles so violent, that sometimes not fewer than fifty persons were left dead on each side. Notwithstanding the efforts of government, and although the military were employed in great force to aid the civil power in the execution of the laws, this feud continued to ravage the country until it was merged some years afterwards in the troubles of the United Irishmen.

In order to provide the executive authorities of the state with new and powerful means of guarding the public tranquillity, the Irish parliament, for the first time, passed the Insurrection act in 1796. Then followed the rebellion in 1798, and the Union in 1800. The Union, it was hoped, would allay those frequent convulsions, and restore the peace of the country; but no such effect has yet been produced by that important measure. In 1806, very serious disorders took place in Sligo, Mayo, and some adjoining counties, and their progress was marked by the same modes of plunder of houses, of destruction of property, and of personal violence, in short by all those outrages which have characterised more recent disturbances. The Insurrection act was renewed in 1807. In 1807, the county of Limerick, the scene, if not the cradle of the present evils, was alarmingly disturbed. In 1811 and in 1812, the counties of Tipperary, Waterford, Kilkenny, Limerick, Westmeath, Roscommon, and King's-county, became the theatre of the same sanguinary tumults. In 1815, a great part of the county of Tipperary, considerable portions of the King's-county, and county of Westmeath, and the whole of that at Limerick, were placed under the Insurrection act. The counties of Limerick and Tipperary, however, continued in a dreadful state, and they remained under the Insurrection act, until that act, after a temporary renewal in 1817, finally expired in 1818. In 1817, part of the county of Louth was subjected to the Insurrection act. In 1820, came the disturbance in the county of Galway, and in 1821, the actual deplorable outrages in that of Limerick. With respect to the latter, it is notorious, as I have already intimated, that they originated in the discontent and resentment excited in the minds of the tenants of a very extensive property, by the proceedings of the agent under whose management that property was placed. This was the proximate cause; and, without reference to any other circumstances, it is obvious how widely the peace of a county would be affected, when a body of tenantry, amounting to twenty thousand persons, were thrown into a state of furious agitation.

But there were circumstances peculiar to the county of Limerick, calculated greatly to spread and inflame any disorder that might be excited by local pressure. This county, as I have observed, has been for years in a troubled and disorganized condition. The inhabitants, and especially the population of the particular districts in which the present evils originated, have always been peculiarly distinguished by their ignorance and lawless habits. I have understood from persons who have had peculiar opportunities of observation, and especially from advocates and judges, whom the course of their circuits has made familiar with the county, that the peasantry of the south-west part of it, and not only the mere peasantry, but even the class somewhat above the lowest order, are marked by an uncommon ferocity of character, by a lamentable disregard to moral obligation, and by a desperate determination in the prosecution of their designs. There is no part of Ireland, in which those vivid recollections of past history, which (as my hon. friend the member for Limerick has remarked) so extensively prevail among the Irish, are more ardently cherished than in the county in question. It is astonishing indeed to observe the force and intensity of those mental associations. As a proof of my assertion, I may mention that at the time of the Union, a person of rank, holding a high official situation in Ireland, and possessing considerable influence, became an object of extreme dislike and jealousy to the Irish people in general, but especially to the inhabitants of the county of Limerick; and chiefly, as I have been informed, from this cause:—that the actual situation of the country brought powerfully home to their minds a circumstance handed down by tradition and currently believed, that an ancestor of this individual had, in the battle of Aughrim in 1691, betrayed his country, and decided the fate of the day by passing over to the English.

Such, Sir, has been the series of commotions which for the last sixty years have tormented and desolated Ireland. It is remarkable how nearly they resemble each other in their principal features, though

varying unquestionably in the shades of atrocity. It would be easy to quote, with regard to each of them, passages, of speeches pronounced in parliament, or of publications written at the time, which, with slight alterations, would describe them all. The complaints respecting the causes of those calamities are, through this long period, nearly echoes of each other. In truth they all sprung *immediately* from local oppressions, and were diffused and propagated by the operation of the same peculiar circumstances in the character and condition of the people of Ireland. They were all in succession quelled; but as yet no effort has been made by the legislature to effect a permanent and satisfactory cure. This very fact however—I mean the continued recurrence of such events—is itself a proof that there must be something diseased in the system. In every country, local oppression may take place, and local commotions may follow. But the question that naturally suggests itself with respect to Ireland is this: How does it happen that a local commotion becomes so rapidly a general disturbance? How does it happen that the spirit which at first discovers itself in a small district, spreads almost instantaneously over a large territory, and throws, in a very short time, nearly half a province into the most frightful convulsion? This is the peculiarity of the subject. What is the state of society that admits of such an evil? Are there no laws? no guards and preservatives of civil order? no barriers to resist encroachments on the public tranquillity?

Now, Sir, I have not the presumption to attempt a developement of all the causes that may lead to the results which I have described, But I think that, on looking into the state of Ireland, the House will not have much difficulty in discovering some, at least, of the circumstances by which the minds of the people in general are prepared to receive the infection of every local agitation by whatever casual or peculiar incident it may in the first instance, have been occasioned. The immediately promoting cause of this propensity is to be found, I apprehend, in the generally abject condition of the Irish peasantry. I do not now speak with reference to the pressure of temporary or local distress, such as that which prevails, I am sorry to say, at the present moment in Clare and some of the south-western counties of Ireland; although, as I have touched on this topic, I cannot help earnestly recommending the immediate consideration of it to my right hon. friend (Mr. Goulburn) and the Irish government. I cannot indeed doubt that it has already attracted their attention; but, if the accounts which I have received are correct, there are not only symptoms of approaching famine, but the famine has actually begun, and unless instant measures are taken for the purpose of checking or limiting its progress, the consequences both of scarcity and fever may be tremendous. I speak, however, at present, of the general and ordinary condition of the Irish peasantry. In 1787, the late lord Clare, then attorney-general of Ireland, pronounced that it was impossible for human wretchedness to exceed that of the miserable peasantry in the province of Munster. I do not know that I should go quite so far; but I am apt to believe the Irish the most wretched peasantry in Europe, excepting perhaps the Polish. Their whole scale of existence is in all respects the lowest possible. Their raiment, their diet, their habitations, all are of the very cheapest and humblest kind. I need not say that their usual food, the potatoe, is attained with remarkable facility, and is in ordinary years sufficiently abundant; but it is a production, the crops of which are peculiarly liable to failure. The consequence of this habitual depression of the people to the lowest point is, that in case of any reverse, however trivial, they have nothing to fall back upon. They are left completely without resources. The commonest variation of fortune, the least calamity, the slightest visitation of Providence, reduces them at once to absolute misery.

Mr. Arthur Young, indeed, gives a very pleasing picture of the interior of an Irish cabin, where he describes the cottager, his wife, his children, the beggar, the cow, and the pig, enjoying at the same trough their common meal. And it is very true, that, when there is an abundant supply of potatoes and of milk (and I may add, where there is a cow, which is rarely the case), this is a correct picture; for the constitutional hilarity and cheerfulness of the people, and their uncommonly sociable disposition, lead them to enjoy, with peculiar zest and relish, any advantages which may be afforded to them by nature. But

then this is a cheerfulness without foresight; an hilarity thoughtless and reckless of the future; the smallest reverse, as I have already said, sweeps their all away, and sinks them into utter destitution and despair.

There is a remarkable difference in the relation of landlord and tenant as it exists in England and in Ireland. In England, the landlord provides the buildings of his tenants, and is answerable for the repairs; and frequently he takes a pride in fulfilling this duty, not only with exactness, but even with munificence. In Ireland, generally speaking, for I know there are exceptions, no deduction is made from the rent on these accounts. The tenant must supply himself with every thing; if, on entering into his farm, he finds, as is usually the case, either wretched hovels or a farm-house in a state of ruin, he must himself incur the expense of repairing or building anew, or otherwise he must be content to live in the habitually sordid condition to which he has hitherto been doomed. I am persuaded that we may ascribe much of the depressed state of the lower orders in Ireland to this single circumstance. It materially checks the progress, or rather it destroys the very beginnings of improvement, and keeps the whole tenantry in hopeless degradation. It is not easy to see by what legislative means this evil can be remedied; but I would respectfully submit to the landlords of Ireland, whose feelings towards their tenantry are, I am sure, honourable and merciful, to take it into their serious consideration, whether they might not materially benefit the people, and in a great degree elevate them from their degraded condition, by following, in the point which I have mentioned, the example of the landed proprietors of England.

It should not be overlooked on this subject, that the population of Ireland is increasing with a rapidity almost incredible. It is now proceeding at a rate by which it should double itself every forty-six years. One cause which mainly contributes to this rapid increase is the continuance in practice of the old common law of gavelkind. It was once the law of Ireland, but has long been abolished; in all parts of the country, however, the invariable tendency of the people is to observe it. I could mention remarkable instances both in the north and south, but indeed the fact is too notorious to require a reference to particular instances. A farmer, if he has five sons or ten sons, never entertains the thought of sending them into the world to work their own fortune. His first object is to subdivide his own farm, be it twenty or thirty or forty acres, into as many separate farms as he can stock with children. Hence that minute subdivision of land, which forms a peculiar characteristic of Ireland. The evil is still farther aggravated by an effect incidental to the law passed in 1793 respecting the elective franchise. That law, excellent as it was in its principle, and fulfilling, though tardily, the claims of justice in one important respect, yet held out a temptation to landlords to break and parcel out their properties, in order to multiply votes. Unfortunately the temptation has been successful in a very remarkable degree; and thus encouragement has been given to what I must call a vicious excess of population. How this incidental consequence of that just law can be obviated or can be remedied, it is perhaps now not easy to say. The expediency of any legislative interposition for the purpose may be doubted; but we may hope that the evil will in some degree remedy itself; and, if I am not misinformed, in some parts of the country this natural self-correction is already taking place.

In addition to the distresses that ordinarily press on the people, there are others which have of late been peculiarly felt in the south and south-west. The return of peace extinguished the provision trade, the great staple and reliance of the south. The depreciation of all agricultural produce was a heavy blow. To show how fatally this depreciation must have borne on the small farmer, I will mention only one instance. Wheat, which, in the good times, as they are called, sold at three, four, or even five guineas a barrel, has within these few months been sold in the county of Cork at sixteen shillings a barrel. The shock given to public credit in 1820, added severely to the distress then existing. It destroyed what remained of energy by removing the possibility of exertion, and thus prevented the struggle which the employers of the poor would have made to soften the descent of the country from a state of demand unexampled both in extent and duration, to the former level of the agricultural market.

Such then, generally speaking, is the ordinary condition of the Irish peasantry, particularly in the south; and such have

been its aggravations at the present time. So circumstanced, it may well be imagined that they fall an easy prey to the attempts of any agitators. From whatever stimulus local commotion may arise, it finds a prompt incentive in the miseries of the people. It is their common language, that the wretchedness of their situation is such as to admit of no aggravation—that they have nothing to hope; and it must at least be owned that they have little to hazard. But, having once taken advantage of this general and habitual feeling of hopeless distress as its first ally, the evil meets with powerful auxiliaries towards its farther progress in certain other peculiar causes of irritation. We know that the cry of these deluded marauders applies to three particulars, rents, taxes, and tithes; and it cannot be denied that each of these is in some respects too well calculated to excite emotions of vexation and discontent.

With respect to rents, I believe that the landlords of Ireland, as a body, are as much disposed to consider the situation of their peasantry as the landlords of England. There are amongst them noble examples of kindness and humanity, and of a constant endeavour to instruct and to elevate their tenantry. It must be admitted, however, that, during the period of high prices, the rents became exorbitant; and, although large reductions have, in many instances, been made and are still in progress, the abatement has not perhaps on the whole been so considerable as the circumstances of the times demand. I am convinced that in many cases, where such reductions have not taken place, the reason has been, not that there is any want of will on the part of the landlords; but because, being themselves involved in the same difficulties and from the same causes with their tenantry, they are precluded from indulging what I cannot doubt would be the natural bias of their minds.

A great part of the property in the disturbed districts, we must also recollect, is absentee property; and, on the tenants on such estates, the ordinary pressure of Irish poverty falls with aggravated force. There are no people who receive more cordially the sympathy of their superiors than the Irish, and none, in consequence, who feel the want of it more poignantly. On the absentee properties the people are placed in charge either of an agent, or of his bailiff or deputy. Often the agent himself is an absentee also; and, in addition to the rent which the tenants pay to the landlord, they are frequently obliged to offer pecuniary considerations both to the agent and the deputy. It is very true that it happens not rarely that a landlord is an absentee only from necessity. If he has large possessions in England, he is fairly entitled to an option of residence between the two countries; and there may be weighty or even imperative considerations to determine that option in favour of England. But, in such a case, though he may lose no opportunity of visiting his Irish estates, those occasional and transient visits will not compensate for his general absence. The single atonement he can offer is by a judicious selection of an agent. Instances indeed will occur to every person acquainted with the subject, of agents chosen so happily, that little inconvenience is felt from the non-residence of the landlord. I will mention an example in the case of one of the largest proprietors in the south of Ireland, I mean the duke of Devonshire, whose yet closer connexion with England naturally separates him from his Irish estates. It is certainly not possible that the influence or exertions of any substitute, however meritorious, should effectually fill up the void occasioned by the absence of that noble person. Yet, so far as the vacancy is capable of being supplied, it is so by the gentleman whom he has most judiciously selected to hold his place in Ireland; a gentleman, who, by his kindness, liberality, prudence, and management, has conferred very important benefits on the tenantry confided to his care. Other examples of the same nature might be adduced; but, in general, the absence of the great proprietors — the habit of letting lands to the highest bidder, without any regard to the claims of the former occupiers, which itself is a consequence of that absence—and other circumstances connected with the management of landed property—have certainly furnished too much ground for the complaint which has been prevalent in Ireland against the rate of rents.

Another alleged grievance is that of taxes. It is necessary perhaps to remark that, when the Irish poor complain of taxes, they do not mean the taxes paid to the government, or the public taxes; but the taxes imposed by the grand juries,—that is, the local and county assessments. All the county expenses are presented, as it is technically termed, by the grand juries, and they are levied by an acreable

tax in the respective baronies. These assessments swelled to an enormous height during the war; and, although they have since been in a certain degree reduced, they are yet in some instances most exorbitant, and press with peculiar severity on the immediate occupiers of land. In the county of Cork, for example, the assessments for each plough-land (a denomination of land familiar in that county) amounted, about thirty years ago, to five or six shillings; during the war it rose to twenty or twenty-five pounds. It has since sunk, and now varies between twelve and fifteen pounds; within which limits it seems likely to be stationary. I merely give this as a single specimen of the degree in which these assessments have increased, and of the inadequate manner in which they have subsequently been diminished. It is a hardship too upon the tenantry, that all the imposts of which I speak, for whatever purpose levied, are paid by them, and by them (in the first instance) exclusively. The assessment for roads might perhaps naturally fall upon them, because it might be considered as a commutation for their labour; but why the assessments for charitable institutions, for fever hospitals, and even for purposes in which they have still less concern, should also be charged on them, it is not easy to discover.

I have heard it observed, indeed, and by persons whose judgment I respect, that the people, though sensible of the pressure of these assessments, and believing them to be obtained by what is termed "jobbing," yet often do not complain of them as a grievance, nor desire their removal, because they find that the money thus procured is expended among themselves. Now, Sir, I believe that this uncomplaining acquiescence, although it may exist in some places, is very far from being general; and, to say the truth, even were the feeling universal, I should only regard it as a stronger reason for a correction of the system. For what is this but to habituate the peasant to acquiesce, from interested views, in a practice which he believes to be improper, and which, as he cannot but feel, may perhaps conduce to his benefit only at the expense of others yet poorer than himself? Besides, if there be any country in which it is more especially necessary that the avowed and the real motives of public conduct should coincide, that country is Ireland; on account of the tendency so prevalent among the Irish people to believe, that public men, amidst much profession of a regard for the public welfare, are in fact swayed only by unacknowledged considerations of private interest.

I will not at this time enter much into the question of tithes, the third head of popular complaint in Ireland. It appears from what has passed this evening, that the whole of that subject will come in a separate shape before the House. It would be useless, therefore, to occupy the attention of the House with any lengthened remarks upon it; but I will beg to offer one or two observations. I believe that the evils resulting from this cause have been much exaggerated; but I have been astonished to find that attempts have been made to construe the slightest intimation of the expediency of some improvement in the collection of tithes, or the most moderate proposal of a modification of the system itself, into an expression of hostility to the established church. I disclaim any such hostility, and protest against such a construction. Not only is there no necessary ground for the imputation; but, if a consideration of the welfare of the lower classes of Ireland were completely out of the question, I maintain that a regard for the interests of the Protestant religion and the established church,—a desire to improve the comforts and promote the usefulness of the Protestant clergy—would alone form a sufficient inducement for the serious consideration of the question of tithes, with a view to some correction of its acknowledged evils. I am sure that my right hon. friend (sir J. Newport) has been misunderstood in what fell from him this evening. He has been supposed to represent this subject as involving a contest between the rights of the people and the rights of the church. I am confident that such was not his meaning. There is, in truth, no contest whatever. The rights of the people and the rights of the church are the same. If ever there was a case in which the interests of the people at large were identified with those of a particular order of men, this is that case.

Surely, Sir, it cannot be regarded as advantageous to the cause of religion, it cannot be considered as a part of the rights of the church, that the very first act, to which a clergyman entering on his duties shall be compelled, shall be to

engage in a conflict on a pecuniary subject with his flock—the flock whom he is to instruct, to attach to his person, and to conciliate to his ministration. Under the present system, the greatest sufferer is the best and most conscientious clergyman. The non-resident—the incumbent, if such there be, careless of his sacred functions, insensible to the interests of his parishioners, and indifferent consequently to their ill-will or hatred — may exact from them the utmost amount of his legal demands. The disinterested pastor, on the other hand, anxious to engage the affections of his flock, in order that he may win them to the discharge of their highest duties, must purchase this advantage by the sacrifice of a very considerable part of his lawful income. Surely such a state of things cannot be for the advantage of religion, nor conducive to the safety of the Protestant establishment.

The clergy of Ireland, Sir, are a very respectable body, and, of late years especially, there has been a marked advancement in all particulars belonging to the clerical character. Independently of the performance of their proper duties, they hold, in Ireland, a very important civil situation. They supply the absence of the gentry, and in this respect confer great benefits on the country, both as resident gentlemen and as magistrates. I do not blame the clergy for employing tithe proctors, or agents. It is impossible for them to avoid it. For, should a clergyman take it upon himself to transact in person all the requisite negotiations between himself and his parishioners, he must sink in their estimation, and detract from that respect which is essential to the due discharge of his office. He must gradually become secularized in his own habits and feelings; and his time will be chiefly employed, not in the exercise of his calling, but in trafficking with his people on the lowest points of self-interest. The clergy, therefore, are of necessity obliged to employ tithe proctors; but it is of this very necessity that I complain. This is the cardinal evil of the system. The great objection to tithes does not respect their amount, nor that they are paid to the clergyman; the evil results principally from the mode in which they are collected.

In considering the operation of peculiar circumstances on a peculiar people, we cannot overlook the temper and disposition of that people. Thus only can we estimate the greater or less degree of hardship which they may experience from any particular custom or regulation.

Now, the Irish are, of all others, a people susceptible, easily excited, and above all things impatient of a continued course of fretful vexations. And it is upon this sore point particularly that the collection of tithes presses. For, observe what is the course of proceeding, and the continual molestation which the farmer experiences. In the month of May, two viewers come to look at his crop, just rising from the ground. At the period of harvest they return to estimate the tithes. In the month of October appears the tithe proctor, to announce the amount of the tithe. He receives from the farmer a note, payable fifteen days before the January sessions. Fifteen days before the January sessions he returns. If the farmer is unable to pay, legal process is served, and costs are incurred. At the sessions, the note is perhaps renewed, and made payable fifteen days before the April sessions. Fifteen days before the April sessions, the proctor again returns. If the farmer is still unable to pay, he is brought into court, and the law has its course. In May again the viewers resume their visits, and the same tormenting routine recommences. Thus the entire circle of the year, from May to April, is filled up, and the mind of the farmer is kept in a constant fever of agitation. Now, extend this from farms to villages, and districts, and counties—and, I think, you will see what a fruitful source is here opened for discontents and heart-burnings, and, in the event, for the most serious troubles.

This state of continued irritation is also aggravated by the habit of allowing arrears of tithes to accumulate; a habit which throws the peasantry completely at the feet of the proctor—of a person whom they detest. The conviction that, at the beck of the proctor, they and their families may at any moment be overwhelmed by the law, and reduced to beggary, drives them almost to desperation. The same circumstance, of the accumulation of arrears, applies also, as I ought before to have observed, to the subject of the rent of estates, and places the tenant in a position of subjection to the agent, or bailiff, not less galling than his dependence on the tithe proctor.

Such, Sir, as I conceive, are some of

the peculiarities in the state of the Irish peasantry which facilitate the progress of active disaffection, after it has once gained any ground. But, when the mischief has availed itself of these facilitating circumstances, it finds, besides and beyond all these, a yet deeper and more settled principle to assist and promote its growth. I mean, a rooted distrust, among the people, of the intentions of the British government and legislature — the fatal legacy of six hundred years of injustice and oppression. Strange as it may seem, the sentiment to which I allude is not usually a feeling of disaffection to the constitution, nor a want of attachment to the sovereign. The allegiance of the people to the person of the king has recently manifested itself in a very remarkable manner; nor, as I believe, have they, generally speaking, any wish to change the frame of the government, or to subvert the authority from which the laws proceed. But the laws themselves they regard as hostile to their interests, and therefore as fairly to be met either by direct resistance, or by evasion. In this respect, the disposition of a great portion of the Irish, with reference to the laws in general, seems to be analogous to that which to a considerable extent prevails in this country with regard to one particular branch of the law; I mean that which relates to the revenue. It appears to be almost a received opinion amongst some persons, and even amongst persons in other respects decently conscientious, that the revenue laws are a fair object of enmity; that it is perfectly allowable to deceive and defeat them if possible. We know further, that one class of men, who gain their livelihood by an evasion of the revenue laws, and are almost in a state of avowed war against them, yet at the same time feel no hostility towards the authority from which those laws emanate, nor are found to resist that authority in any other way. On the contrary, having one day shed their blood in opposition to the law, these men are often equally ready, on the next, to shed it for their king and country. Inconsistent as this may seem, somewhat of the same sort of feeling pervades, I am sorry to think, a considerable part of the Irish people, with respect to the law generally. They have a rooted conviction that it was not made for their benefit. They regard it only as a despotic master; and are but too ready to evince that sentiment, whenever the opportunity arrives.

Deeply as we must all condemn the atrocious acts to which this prepossession has led, can we wonder that it should be entertained? From the earliest times down to a late period, the general stream of legislation has been against the people of Ireland. I do not speak only of the labouring classes; I speak of the great mass of the population. They have, as a people, been excluded from the benefits of the British constitution. During the late reign, indeed, a propitious change took place; but the amendment, though great, is even yet far from complete, and it is much more lamentable than surprising that the impressions left by the long previous course of misrule should have survived their principal causes. I need not advert to the four hundred years which preceded the complete and ultimate subjugation of the island in the reign of James the 1st. Sir John Davis, in his memorable work on the causes which prevented the final civilization of the Irish, attributes the effect, in no small degree, to the policy which excluded them from a communion of laws with England. We know, indeed, that, at one time, a distinction was made between a mere Irishman, or (as he was termed) a *pure Hibernian*, and an Englishman;—that the English law was not extended to the mere or pure Irish, even though they earnestly requested that privilege: that it was scarcely a crime to murder a pure Irishman;—and that this system of exclusion continued till the beginning of the seventeenth century.

Sir John Davis, in the work to which I have alluded, while considering the natural advantages of Ireland—the beauty of the country—the fertility of its soil—the number and magnitude of its rivers—the happiness of its climate—the genius and character of its inhabitants—breaks out into an ecstacy at the contemplation, and anticipates for that fine region better and happier days, in consequence of the corrected system of government and legislation which the prudence of James the 1st had introduced. He predicts that Ireland would flourish, because it was thenceforward to exist under one law, one king, and one allegiance, with England. What would have been the feelings of that writer, if he could have foreseen that, although the distinction between the Irish and the English of the pale was abolished, yet, in the place of that distinction, another of a still more noxious character was

to arise? The line of demarcation was to be no longer between the Irishman and and the Englishman, but between the Protestant and the Catholic. That century, therefore, which commenced so auspiciously, was, in the sequel, marked by incidents still more fatal to the peace and happiness of Ireland than those which had gone before. It was a century of injury, exasperation and revenge—of war, and bloodshed, and spoliation. During that century, nearly the whole landed property of the island changed masters by confiscation. There were three memorable confiscations—in the time of James the first—in the time of Cromwell—and at the period of the Revolution. The entire area of Ireland is reckoned at twelve millions of Irish acres; of that number, lord Clare states that eleven millions and a half underwent confiscation in the course of the century. It was said of Henry the 2nd, that, when he left Ireland, he did not leave one subject more in his allegiance, than when he entered it. The remark may be applied to William the 3rd. He quitted the Irish shore as a conqueror, but the number of his faithful adherents was not augmented by a single individual. And the seventeenth century closed only by leaving deeper seeds of discontent and hatred towards England in the hearts of the Irish people than it had found.

Then came the anti-commercial code, and the anti-catholic code, marching side by side, and combining their strength for the great object of crushing by the most efficacious means the talent, the industry, the enterprise, and the improvement of the people. The anti-commercial code extending itself over every part of the population, repressed the energies, and prevented the growth and progress of the opulence. of the whole country. The anti-catholic code, not quite so unlimited in the sphere of its operation, yet included the far greater portion of the people, who, thus doubly oppressed, were reduced to the lowest state of humiliation.

The eighteenth century advanced. Better principles gained ground; and, at length, the irresistible progress of knowledge opened the way for the relaxation of both those codes. The more obnoxious restrictions on commerce were removed; the Catholic laws were gradually softened down; nor can it be doubted that these improvements which distinguished the reign of our late revered monarch produced a favourable impression on the minds of the Irish. Let it be observed, however, that nearly in proportion as the Catholic code was mitigated, there arose another, which might also be termed a penal code, and established itself in the country. I mean that system of fierce and violent legislation, to which we owe the White-boy and Insurrection acts, and other regulations of a similar nature. It is very true, that when that system began, which was about the year 1765, it seemed to be required by a very pressing exigency; but it must be remembered, that an alleged emergency had also been the foundation of the Catholic code. Whether required or not, however, the effect of that course of angry legislation has been in a very considerable degree to counteract the salutary impressions produced by the relaxation of the anti-commercial and anti-catholic laws, and to rivet in the minds of a great part of the people a conviction that they are not regarded in the same light, or governed on the same principles, as the British subjects of the empire, and that their misdoings are to be corrected by other than constitutional means.

These then, as I conceive, are the great causes which predispose and prepare the minds of the Irish people for the reception of any insurrectionary contagion. In so stating them, let me not for an instant be understood as justifying or palliating the spirit of resistance to lawful authority, which they are the unhappy means of engendering; and far less would I be thought the apologist of the cruel violences,some times reaching the extreme of frightful atrocity, in which that spirit has manifested itself. On these subjects we can all have but one sentiment. In point of fact, however, I believe the promoting causes of the evil to be such as I have described. Those influences gradually form and accumulate, if I may so speak, a mass of morbid matter, which breaks out on every occasion of casual excitement, and which, though it may be repressed or dissipated for the moment, yet immediately begins again to collect and to await a fresh opportunity for appearance.

But, Sir, admitting this to be the case, a question still remains—Whence does it happen that these causes are allowed to operate so freely? Grant, that, by the means I have mentioned, the infectious mischief is fed and accelerated in its pro-

gress, does it not at length strike on some resisting substance? Does it not at length shock against the solid mass and strength of the society? Are there no natural defences interwoven in the very system of the body politic? Are there no checks and counteractions supplied by its very nature? In every well-ordered and compact frame of society, the strength and stability of the machine itself, even by its simple existence, greatly protect it against the effects of domestic discord and confusion. The very leaning of the parts of the fabric upon each other —their mere holding together—is generally found sufficient to preclude a very wide extension of the mischief and the danger.

Here, then, we detect the mighty difference between such a wholesome frame of society and that which is now under our view—between the frame of society, for example, as it exists in England and as it exists in Ireland. Supposing the evil of intestine commotion to arise in some part of England, and even to attain a certain stage of maturity, it would yet at length encounter powerful and insurmountable obstacles; obstacles which, in Ireland, either do not exist at all, or exist only in a very imperfect state. In England, the evil meets in the first place with the resistance of a strong moral and religious principle, resulting from diffused knowledge and education. Of late years, indeed, this defence has been, I regret to say, somewhat impaired; but a mass of that moral and religious principle still exists; and I believe that it checks, partially perhaps, yet on the whole, very considerably, the progress of commotion and disturbance.—In Ireland, the evil meets with but little of such opposition: in the south, particularly, it has to act on ignorance, superstition, and depravity, arising from a deplorable want of education. In England, the evil, supposing it to have advanced so far, meets next with the resistance supplied by the habits and influence of a large and substantial body of yeomanry, who, by the weight of their example and by their authority over their inferiors, repress crime and keep down the tendency to disorder.—In Ireland there is, generally speaking, no such intermediate body—no class of persons entitled to the appellation of a substantial yeomanry. In England, the evil meets next with the resistance of the resident gentry; —in Ireland, it meets with the void made by absentees. In England, further, it encounters those guards and defences furnished by the actual institutions of the society—I mean the ordinary provisions for preserving the peace, the parochial and county officers appointed expressly for the repression of public disorder.—In Ireland it encounters a police, incorrectly so called—a system wretchedly inadequate to its professed objects, and generally calculated rather to promote than to repress agitation. In England, lastly, it has to contend with a vigorous and united magistracy. In Ireland, it finds a magistracy who cannot on the whole be considered as an equally efficient body, and who are too often disjoined from each other by local and political conflicts.

I have mentioned the want of education in Ireland. It is not, however, that the people are not instructed in reading and writing. In this respect, the education of the Irish peasantry cannot be considered as generally deficient. By the late returns, it appears that there are not fewer than 8,000 schoolmasters throughout Ireland; and, reckoning to each of those fifty scholars, there must be about 400,000 children under instruction. The education, however, thus administered, is frequently of the worst kind; and many of the schoolmasters are active promoters of agitation. They are persons of talent, and have usually, from obvious causes, considerable influence in the circles in which they move. This talent and influence they are too much induced to apply to the purpose of producing evil impressions on the minds of the people, and of exciting and circulating discontent. The state of Ireland affords a strong proof that education, in the proper sense of the term, consists not merely in communicating the elementary parts, the mere instruments of knowledge; that we do in fact nothing, or worse than nothing, unless the education which we give extends to the inculcation of moral and religious principle. The nature of the books also, which are commonly circulated in the schools to which I have referred, is most pernicious. They generally consist of the adventures of notorious villains and profligates. At the best, they are calculated only to cherish that disposition for enterprise and that passion for danger which constitutionally mark the Irish. For this is a characteristic of that people—they delight in undertakings of peril—they love to run even into

jeopardy of life—they are deeply attached to secret and mysterious combinations, and fond of showing an unshaken fidelity to their engagements, especially where that fidelity is to be maintained under circumstances of difficulty and personal hazard.

On the subject of education, Sir, there is, I am sorry to observe, much room for animadversion. The government of Ireland—I refer particularly to the last century—cannot here be acquitted of censure; nor can we hold the clergy of either persuasion blameless. The clergy of the establishment—I speak chiefly of past periods—have surely not in this respect fulfilled their duty. Possessed as they were of commanding influence in the state, of vast temporal endowments, and in some cases of princely opulence, it was in their power to apply great resources to the object of educating the poor, and it was certainly incumbent on them to do so. But, for a considerable time, they acted apparently on the imagination that their whole duty regarded only the Protestant part of the community; and it seemed their principle, while they educated the Protestant, to condemn the Catholic to hopeless ignorance. Of late, indeed, a material improvement has taken place; I am bound to say, that, among the most strenuous advocates of education, and among those who are most anxious to avail themselves of all means afforded them for this purpose, and who, according to their opportunities, have in fact, been the most active in promoting it, are to be found the great body of the established clergy of Ireland.

With respect to the Roman Catholic clergy, it is obvious, that, during the existence of the penal code, they could not well be expected to take any steps for the promotion of the purpose in question. It was the object of that code to crush education. England, while that code remained, furnished the singular example of a Christian nation legislating upon a system, the direct effects of which was to extinguish knowledge and diffuse barbarism.

Under that code, the Roman Catholic clergy were a persecuted body. They were not allowed access to the people. Their communion with their flocks was confined to stolen interviews; and those short periods were, of course, occupied rather in administering the rites of their religion, than in imparting moral or religious instruction. But why, since the relaxation of that code, they have not more assiduously applied themselves to this great object, it is, perhaps, less easy to explain. I know that they have laborious and extensive duties to discharge; I know that their numbers are inadequate to the demands of their religious offices; I know that the life of a Catholic priest—so insufficient is the present number of that clergy—is a life of constant bodily exertion; but, in spite of all these circumstances, I do think it might have been possible for the Catholic priesthood to direct their efforts more than they have done to the moral improvement of the people. Yet, here also I must observe, that this class of Christians have of late begun to show a greatly increased degree of anxiety on the subject in question; and that many of them are now earnestly engaged in plans for the education of the poor.

On the system of the ordinary police, I can only once more observe that it is miserably defective. The baronial constables (for each barony has a certain number of such officers) are nominated by the grand juries, and receive salaries of various amounts in different counties—not exceeding, however, 20*l*. for each individual. I am sorry to say, that they are too often appointed, not on account of their fitness for the several functions of their office, but by a very different rule of selection. Instead of being young, vigorous, healthy, and equal to cope with the desperate offenders whom they may be called to oppose, they are in many instances dependants of great men, menial servants, wood-rangers, persons worn out in other lines of life, unfit for active duty, often placed upon the police as on a superannuation list, and in every respect calculated to do more mischief than good.

Of the magistracy of the country, I wish to speak with the utmost deference. There are amongst them many persons of the highest character and qualifications. I could name gentlemen in every part of Ireland who perform their duty in a manner not only respectable, but even exemplary; who, careless of all interests and considerations but those which they are under a sacred obligation to consult, pursue a steady and honest line in the face of difficulty and personal danger. With regard, however, to some other members of the body, I am afraid we must admit that they do not possess all

the requisites for their eminent station in the present circumstances of their country.

I disclaim any wish to cast reflections on any body of men; nor would it be just in this case; for, as I have said, there are examples of the highest qualifications among the magistracy in every part of Ireland. But instances have, on the other hand, occurred, in which I am bound to say, that the supineness of the magistrates has been injurious to the peace of the country, by suffering disturbance and outrage to gain head at the commencement, instead of opposing to them an early and well-concerted resistance.

Let me ask, Sir, what would be the effect in any county of England, which some local discontent had thrown into a state of ferment and agitation, if, in the course of a week, a fortnight, or three weeks, two or three houses were allowed to be burned and murders to be committed, without any inquiry on the part of the local magistrates. Might we not naturally expect, that, within the succeeding three weeks, the number of those atrocities would be multiplied? and should we be surprised if the evil were to attain so great a height as to make the interposition of the civil power insufficient, and to compel a recurrence to coercive measures of another kind?

This state of things, Sir, in Ireland, which I have now attempted to sketch in some of its leading features, is the natural result of the course of policy, which, till a late period, has been pursued with respect to that country; and, if we are asked why such a system of policy was pursued, or how it happened that England, so liberal and enlightened in her principles and conduct with respect to most of her other dependencies, should, with regard to this her nearest possession, have so widely deviated from the obvious line of her duty, the answer is clear. The main cause is to be found in the peculiar nature of the relation which existed between the two countries. In truth, the government of England was a government extrinsic to the people of Ireland. It was at first forced upon them by foreign military power, and by foreign military power it was, during the course of centuries, sustained. Sir, there is a tendency in all governments to adjust and assimilate themselves to the people which they rule. Even the most despotic governments find it necessary in some degree to shape and conform their acts to the wishes or the humours of their subjects. This must be the result in every instance, where the governing power is entirely thrown (if I may so speak) on its own native resources; it is then compelled more or less to seek its safety in the good feeling of the people. But the misfortune with regard to Ireland was, that the government, being in the first instance super-induced by the arms and policy of a power foreign and extraneous to the country, was subsequently upheld by similar means—by English force and English corruption. It was not placed under the necessity of making itself strong in the sympathy of the people; rather, it was placed under a necessity of an opposite kind; it was led to rely on the support and resources of England, and not on the affection and honest allegiance of the Irish. It was a government not so much over the people, as against them. Down to the year 1782, this was remarkably the case. Since that period, indeed, a different system has prevailed; but I speak now of the cause which led to the adoption and continuance of the previous system of mis-government; and I think it cannot be denied that this cause is to be found in the fact of a government habitually and for centuries maintained as it was at first established—by foreign and extrinsic resources. It may, perhaps, safely be asserted, that, from the landing of Henry 2nd, on the Irish shore down to the commencement of the late reign, there was no period during which the Irish government could have supported itself for a single month without the assistance of England.

In truth, Sir, it makes one indignant to observe the fortunes of that people. Recollect their many admirable qualities—their genius and intelligence—their peculiarly sociable and affectionate natures—their disposition to give confidence where it is merited—their steadfast devotion to any cause which they have once heartily espoused—their patience under misfortunes—their constitutional hospitality—their romantic love of adventure—their passionate attachment to all the charities of blood and kindred;—recollect all this, and what must you think of that policy by which these excellent qualities have been perverted, by which all these gifts of nature and providence have been made the fruitful sources of crime and misery? What must you

think of that policy which tasked the power and the wisdom of England for ages, only to produce and prolong the moral and political degradation of such a people?

Sir, it is not my object to attempt to point out the various remedies which may be applicable to this state of things; but some remarks on that part of the subject I will venture to offer.

In the first place, it is obvious, that as the evils to which I have referred are the result of causes most deeply seated, and which have operated for ages, so they cannot admit of any sudden or instantaneous cure. The process of healing must be gradual. But, in making this observation, I wish to guard against the possible abuse of it. It does not furnish the slightest pretext for indifference or delay in the application of remedial measures. It is, on the contrary, the strongest argument for an immediate recourse to them. Indeed, although I admit that improvement must be a work of gradation, I certainly conceive that the rate of its progress depends in no small degree on ourselves; and, if it is heartily pursued and promoted on all sides, I even think it possible that the effect may be produced with a rapidity on which we should in the first instance be far from calculating.

I must, however, in the next place observe that, with respect to many of the evils which afflict Ireland, the business of correction does not rest either with the government or with the legislature. The remedies must grow up from the people themselves. They are in the hands of the people—in the hands of the landholders and gentry; and by these I trust they will be applied.

The power of interposition, as I have observed, is in many instances not with the government. Is it possible, for example, that the government should find a permanent relief for the distresses of the poor and the general want of employment? Temporary aid on a particular emergency may be afforded with advantage; but to provide that the population of a large country shall at all times be fully occupied and comfortably situated, is a task beyond the competence of human policy or power. In the same manner, is it within the province of government to interpose between landlord and tenant? Or would it be proper that legislative enactments should prescribe to the landlord the conduct which he ought to pursue in that relation? In this respect, as in many others, our appeal must be to the landed gentry of Ireland.

With those of them, indeed, who willingly and systematically absent themselves from their country—what terms of persuasion can avail? I would, Sir, it were in my power to rouse those persons from their apathy. I would it were in my power to carry to their hearts such an appeal as the exigency of the case demands; to re-excite in them those recollections of home and of country, which, I am sure, are not extinguished but only dormant. I would remind them how little justice they do even to themselves, in abandoning the post which has been assigned to them by Providence, and sacrificing all the high obligations resulting from rank, birth, and station. I would implore them to reflect how little they consult either their own happiness or the good opinion of their countrymen, in forsaking the discharge of those duties which ought to be cultivated by them not merely from a sense of obligation, but, even if obligation were not concerned, from a regard to their truest interests and highest dignity: duties, not to be executed as tasks, but to be enjoyed as privileges—the duties of protecting, of enlightening, and of tranquillizing the people committed to their care. I would tell them that it is vain to look for incompatible advantages—that they cannot draw their rentals from their native country, and lavish them in travel or amusement abroad, and at the same time hope to have a healthy, contented, well-principled, and loyal tenantry at home.

To those landlords who reside in the country, I would also make an earnest appeal. I call upon them, not indeed to adopt a course foreign to their own inclinations, but to persist in the course to which I know they are already inclined. This is the easier undertaking; *facilius incitare currentem quam commovere languentem*. I call upon to do more ardently what they are already doing, to watch over the interests of their dependants, which are, in truth, their own; to labour for their moral elevation as well as their physical comforts and thus, by constant attention, by patient and considerate humanity, and above all, by the force of example, to secure the progress of their country in knowledge, in industry, in refinement, and in religion.

There are, however, Sir, other duties

relating to the improvement of the country, which more peculiarly fall to the lot of the government and the legislature. And here, I would presume to point out three great objects to which, as I conceive, the attention of parliament and of the executive authorities should be directed. The first is the improvement, by constitutional means, of what I have termed the ordinary defences of society; I allude particularly to the police and the magistracy. I have described the state of the ordinary constabulary of the country. On this subject, plans of two different descriptions were under the consideration of the late Irish government. The principle of the one was to abolish the whole of the existing constabulary, and to establish a general police, under the appointment and supervision of government. It went, in fact, to station a *gens-d' armerie* throughout Ireland. The other method proposed was to attempt, by an amendment, not a repeal, of the present law, to effect a practical improvement in the character of the existing baronial constabulary—to provide, if possible, that it should be composed of better materials, that the selection of constables should be more unexceptionable; and, in short, that the whole system should be better adapted to its declared purposes. With respect to these two descriptions of plans, I confess I think the latter ought at least to be first tried.

It is notorious, as I have already intimated, that the present system of police is wretchedly defective, because wretchedly carried into execution. It is confessedly ill-worked. Now, had every thing been done to render the operation of the system as perfect as possible—had every means been used to strengthen what is good in it, and to correct its imperfections—and had the experiment, after all, been found to fail—then certainly we should have no alternative, except to throw aside the old machinery altogether, and to proceed on a different plan. But, when it is admitted, that the system, whatever be its merits, has not been fairly brought to the test—when the complaint is not against the principle but against the practice, when, further, the principle is not only more unobjectionable, but more constitutional than that of a gens-d'armerie—then it does seem somewhat of a large and illogical consequence to conclude that you shall at once rush to the other extreme, and abandon not only the incorrect practice but the uncensured principle. I term this principle more constitutional than its antagonist, because it provides for the defence and protection of the society from the bosom of the society itself. It finds the defenders of peace and order amongst the people. And, surely, this is wiser and better than the notion of securing the public tranquillity by the direct agency of the executive power. But the truth is, that, wherever the system of baronial constables, as established by the laws now in being, has been fairly tried, it has been found to answer its purpose. In proof of this remark, I would mention the case of the county of Longford, which was a few years ago so disturbed, that it was on the eve of being placed under the peace preservation act. At that time, my noble friend (lord Forbes), one of the members for the county, desirous to avert this disgrace, as he deemed it, from his county, resolved to make an experiment, whether it was not possible to preserve tranquillity under the present mode of appointing constables. At his request the application of the peace preservation act was withheld. By his own exertions and influence, with the assistance of his brother magistrates, he formed, under the existing laws, a baronial police which has now for five years been in operation; and the result has been the complete tranquillity of that county during the time in question, without any resort to extraordinary means. Formerly, in Longford, as in many other counties, no constable could execute a warrant with safety in the fairs and general meetings of the people. It is unfortunately too common a case in Ireland, that a peace-officer is unable to act except under the protection of a military force. The contrast in Longford is now so striking, that, but recently, in a fair crowded with thousands of the people, a single constable entered, and, seizing a delinquent, marched him to confinement, through the whole of the thronged multitude, without experiencing the slightest disturbance or opposition.

The plan of a gens-d'armerie would probably in its consequences be of very serious detriment. It would tend, I think, to deteriorate, if not to extinguish what subsists of good magistracy in Ireland, and to degrade the gentry from their natural station. I do not deny that its immediate effect might be more striking than that of a milder plan; but I believe that, if it were possible to compare the two systems experimentally, the result in

the course of a few years, would be in favour of that which I consider as the more constitutional.

It has, indeed, often occurred to me, in considering this subject, that it would be adviseable to introduce among the Irish, still more than has hitherto been admitted, of the English principle of confiding the peace of the country to the care of the inhabitants. One great evil in Ireland has been, that, in every emergence civil or political, where any thing was to be done, immediate recourse has been had to the agency of the government. I thought it might be well worth an experiment, whether the English mode of appointing gratuitous parochial constables might not advantageously be adopted in the sister country. I should not now have mentioned this idea, if it had not been that, in a conversation about a twelve-month ago, with my Noble friend to whom I have already alluded, I threw it out, and expressed some intention of proposing legislative enactments for the purpose of carrying it into effect. In consequence of that remark, my noble friend, with his characteristic zeal for the improvement of his country, has actually made the experiment. During the last year, parochial constables have been appointed in Longford, who have acted gratuitously, and I have understood from him, that the plan has been attended with great and unquestionable benefit. Under these circumstances, I think it would be somewhat premature to pronounce that Ireland shall, at this time, and in all its parts, be placed under a constabulary force appointed immediately by the executive power.

The subject of the magistracy also occupied the attention of the late Irish government, and measures relating to it were in progress when the change of government took place. More than two years ago, at the time of the decease of the late king, lord chancellor Manners, in whose department that branch of public duty is particularly vested, resolved, in consequence of many conferences with the government, to enter upon a revision of the magistracy. It was his intention to form a list of those gentlemen in each county, who, according to the best information that he could procure, might be properly selected to hold commissions of the peace; and to avail himself of the opportunity of issuing a new commission, silently to supersede that which is now in force, re-appointing, at the same time, all the fittest and most effective magistrates. Since that period, I have had communications with the lord chancellor, and I know that he has not been inattentive to the object in question. The nature of the inquiry which he was obliged to make has occasioned much longer delay than might have been wished, but it is not easy for those who have not considered the details of the subject to conceive the minute and complicated nature, as well as delicacy, of the investigations requisite to bring such an inquiry to a satisfactory issue. Although, therefore, the delay that has occurred is matter of regret, I am persuaded that no blame attaches on account of it to the noble lord. Shortly before I left Ireland, I understood from himself that he had made great progress in the work of revision, that his inquiries had been prosecuted in all parts, and that he had obtained from the best sources materials for carrying his original intentions and the wishes of the government into effect. He added, that there were at that time only a few counties (I think but two or three) for which he was not prepared with an improved commission. I should suppose that the lists for those counties have by this time been completed; but what has since occurred, I am of course unable to say. It may, however, be hoped that, by these means, whatever improvement may be requisite in the magistracy of Ireland, will be carried into effect at no distant period.

The second of those objects which I regard as demanding public and legislative interposition, is the moral improvement of the people. I have already touched on the nature of the education that exists in Ireland. It is highly important that this subject should attract the attention of parliament, and some public inquiry into it seems indispensable. Whether that inquiry should be conducted by a committee of the House, by a commission appointed by the government, or by a parliamentary commission, is not now the question; but information ought, I think, in some way to be obtained; I mean chiefly as to the state of Roman Catholic education. On this part of the subject in particular, we have not sufficient facts before us. It is a very difficult matter to decide what public measures it may be best to adopt for the purpose of promoting the education of the great body of the Irish people. An hon. friend of mine (Mr. Rice) has intimated that a national system ought to be established. I do not profess to pronounce

a decided judgment, because I think that the question requires much more discussion than it has yet received. Notwithstanding, however, the deference which I feel for the opinion of my hon. friend, I confess that, as far as my mind is yet made up, my leaning is to believe that the establishment of such a national system of education in that country as shall be effectual, would be opposed by very serious if not insurmountable difficulties. I need only advert to the religious differences that prevail in the country; especially to the leading distinctions of Catholic and Protestant. A system of national education, Sir, must of course proceed on the principle of excluding all that is circumstantial in the doctrines of the two persuasions, and retaining only what is essential in both. You must take the common quantity, if I may so speak, of the two religions, and upon this you must frame your course of education. Now, Sir, I am afraid that such a plan savours a little of the old mistake of attempting to produce uniformity of opinion, instead of being content to secure a concord and unity of hearts. It is besides to be observed, that much of what the Catholics deem the essence of their religion, many of them will allow to be communicated only through the medium of their clergy. The result, therefore, of this general course of education would, I fear, be fallacious. It would leave what all must consider a most essential part of education to be in a great measure supplied, as it is now, by private care and benevolence. The instruction given would consist more in a negation of the doctrines peculiar to each persuasion, than in the inculcation of any positive articles of belief.

I incline, therefore, to the opinion, that, for Ireland, in its present situation, a different system is better adapted—that of encouraging, by every means in our power, the various efforts for the education of the people, throughout the kingdom, by whatever persons they may be conducted, provided only that it be clearly ascertained that they are directed to the promotion of real moral and religious improvement. The liberality of parliament will, I am persuaded, supply government with ample funds to be distributed in aid of such efforts; the distribution being fettered by no other condition than this, that they shall be honestly and really applied to the moral culture of the people. There is a small fund, which has been voted for a few years past (amounting in the present year to 4000*l.*), which has been placed in the hands of the Irish government, and is applied on the principle that I have described. The distribution of it is vested, under the control of government, in the hands of three gentlemen, who have been requested to undertake the trust, the rev. Mr. Dunn, major Woodward, and Mr. Digges Latouche. I mention their names, because it is due to them to pay to their judgment, their liberality, and their enlightened and honourable conduct, the tribute of high respect and praise. They perform the duties of the trust gratuitously, and they dispose of this fund to any school —in aid, it should always be remembered, of local exertions and local subscriptions —but to any school conducted either by Catholics or Protestants, provided they are satisfied that it shall be well conducted, and that it proceeds on true principles of Christian benevolence. I should propose that this fund be considerably enlarged, and that it be from time to time enlarged in proportion to the demands of the country; and that, whether it be always invested in the hands of the same gentlemen, or in the hands of different sets of individuals carefully selected for the purpose, the distribution should be still regulated by the same principle.

The third point to which I presume to think that the legislature ought to direct its attention is—what I may term the civil improvement of the people. Here I would particularly advert to the question of tithes, but without at this period enlarging upon it; more especially as the subject is hereafter to undergo discussion. Previously, however, to the adoption of any measure on a large scale respecting it, some inquiry into the actual operation of the system at present established seems to be expedient. Whether this should be made by parliament, or by the government, may be matter of future consideration. Of the competency of parliament to institute such an investigation, there can be no doubt; for the competency to inquire is surely concurrent with the competency to legislate. But, perhaps, considering the nature of the subject, and from respect to the constitutional authority of the sovereign as head of the church, it would rather be advisable that such an inquiry should emanate from the government, and be conducted under its superintendance.

On this part also of my subject, I must touch upon the question of Catholic

emancipation; not to enter into it, but to mention the measure as one of those most material to the improvement of Ireland. The question, Sir, has of late assumed a new position; and this is the only remark I shall make upon it. In consequence of the visit of his majesty to his Irish dominions, and his peculiarly gracious and condescending conduct while in that quarter; in consequence also of the appointment of lord Wellesley to the government of Ireland, and of the general impression that he was especially selected as the representative of the royal sentiments with respect to that country; there is no doubt that a persuasion exists, that the opinions of the highest person in the kingdom are favourable to the progress of the Catholic cause. This persuasion is gaining ground throughout Ireland; and if, after all that has passed, the measure of emancipation should not be adopted, the disappointment will be attributed to a disinclination towards its success, existing, not in the highest quarter, but in the other branches of the legislature. I have already adverted to the distrust entertained by the Irish people generally of the disposition of the British legislature, and I shall only observe, that one unfortunate consequence of the continued rejection of the measure would be still more deeply to rivet that conviction—and thus to create what in a constitutional view cannot be too much deprecated, a separation in the eyes of the people between the wishes of the sovereign and the intentions of the legislature.

On this occasion, Sir, I think it is my duty to do justice to the conduct and character of the Roman Catholic clergy. A few years ago I expressed, in my place, my sense of the obligations which the country owed to that class of men for the zeal and activity with which they had co-operated with the magistracy and the government in maintaining the public tranquillity. For that declaration I have incurred much censure—not indeed in this House—but the subsequent conduct of the body in question has completely justified the good opinion of them which I then expressed. It has so happened, that, during the late disturbances, their conduct has been brought forward with a peculiar prominence, and in almost all instances, they have, by the utmost exertions, and often at the imminent hazard of their lives, enforced the duty of obedience to the civil power, and opposed and repressed the passions and movements of the misguided people. In every stage of these disorders, both during the progress of the infatuation and at the period when the convicted delinquents met their fate, their merit has been equally conspicuous. I think myself bound to make this statement in favour of that respectable order of men; and it is, after all, but a poor tribute for the benefits which they have conferred upon their country.

I will no longer, Sir, dwell on particular measures of amelioration; but I would in conclusion observe generally, that the great remedy for the diseased state of Ireland is to be found in a steady course of wise and good government. As all the vices and misery of that country have mainly sprung from a steady course of mismanagement, so must her improvement and her progress in morals, religion, and the blessing of civilized life, depend on the patient and inflexible adherence of her rulers to a directly opposite line of policy. It is above all things important to lay the foundation of every remedial design in the union and concord of the people. This is an indispensable preliminary. Let it not be imagined, Sir—I need scarcely disclaim the construction—that, in offering these sentiments I have the slightest intention to insinuate censure on any preceding administration. I know that, with respect to the principles I am now recommending, I shall be cordially joined by all those members of the House who have at any period been members of the Irish government. But I repeat, that the basis of advancement must be the mutual good-will of the people. Whatever other measures you may adopt, you can hope to make but little progress, unless you secure this object; and, if this object be first attained, the adoption of other measures will be comparatively easy, and even the necessity of them will be in some degree superseded. Let us not believe, Sir, that the task of creating or diffusing such a spirit of reciprocal kindness is hopeless. True it is, indeed, that, where passions and prejudices, inflamed by ancient and bitter recollections, are involved, many obstacles must intervene, and the end to which we aspire may, for a time, seem to be withdrawn to a distance almost unattainable. But let us not despair of the ultimate result. We know that the best feelings and the loftiest passions are on our side. We know that the sanctions of authority and experience are

in our favour. Wherever the experiment has been fairly tried, it has completely answered. I could give many examples of such success, but shall limit myself to one with which I shall conclude. I offer it as an additional demonstration of the important truth, that habitual kindness and real honesty of intention will always find their reward in the sympathies and in the conduct of those towards whom they are exercised.

In the county of Limerick, Sir, there is a parish untouched to this moment by any of the disorders which have distracted that county. It is nine miles from the city of Limerick, and in the midst of all the horrors of which we have heard. It contains a very crowded population almost entirely Roman Catholic: yet, in that parish, the Protestant clergyman keeps no arms, nor has he in any respect increased the fastenings or defences of his house; and, at night, he sleeps in security, confiding in the protection of Providence and the good-will of his Roman Catholic parishioners. The neighbourhood has been visited by these nightly marauders, and many excesses have been committed; but, in this parish, not a single outrage has taken place. In the course of last December, there occurred in the same parish a memorable scene. On a Sunday in that month, the Roman Catholic priest summoned his flock to a meeting in the Romish chapel, and there at the altar he presented to them the Protestant clergyman of the parish. The people were not assembled for the purposes of worship, but the place and the day gave a solemnity to the meeting and a sanctity to its object. The Protestant clergyman from the altar addressed the people. He gave to their conduct the applause which it merited, and exhorted them in the most earnest manner to continue the same course of loyalty and good order. His address, which occupied half an hour, was heard with breathless attention; and the result was, that, at the close of it, the people, with one voice, and with acclamation, came forward and took the oath of allegiance. The present state of the parish attests their faithful observance of the voluntary engagement. Now, Sir, to what must we ascribe these effects? Not to any sudden burst of enthusiastic kindness, suspending on a special occasion habitual distrust and estrangement; not to a momentary impulse, urging the Protestant and the Catholic to unite for a particular purpose—no! but to a settled and regular habit of conciliation between the Protestant and the Catholic clergyman, between the Protestant clergyman and his Catholic parishioners—a habit formed and built up during a kindly intercourse of twelve years. It is the result, therefore, of a system silently matured in the time of peace, and at length manifesting its efficacy in the hour of danger.

The instance, Sir, which I have given, is, I am happy to think, not a solitary one; and, from facts like these, I am surely warranted in the conclusion, that, where the same conciliatory means are used, the same excellent effects will generally follow. Such a spirit of persevering kindness as I have described is capable of surmounting even strong prejudices; and, so far from being incompatible with fidelity to the religion which we profess, is, indeed the genuine offspring of that religion in its highest state of excellence. It may extend to every order of persons in the community, and may be the animating principle of government itself, without any compromise of its rights, or derogation from its authority.

Mr. *Ellis*, of Dublin, deprecated the present discussion, as calculated to excite public irritation; whereas the object of all public discussion should be, to soften down irritation. He could not allow the statements which had been made by several gentlemen in the course of the debate, to operate unqualified on the mind of parliament. It was his duty to state the view he had taken of this important question; and if he, in delivering his opinion, should betray the infirmity of human nature, it could not be denied that those who cherished different feelings, and who had that night expressed them, were not free from the same infirmity. As far as the discussion had gone, very remote causes had been assigned for the troubles by which Ireland was now agitated. It appeared to him, that several gentlemen had adopted hasty opinions, on which they had argued, instead of adducing facts, and inferring consequences from them. He, however, would take a different course; he would state the facts which influenced his opinion, instead of arguing on fanciful and uncertain *data*. Connected as he was with some of the disturbed districts, he had enjoyed opportunities of learning private circumstances relative to the insurrection; but

these he would not mention—he would state only those transactions which were of a public nature, and which were perfectly well known to his majesty's government. If he offered any statement that was incorrect, they could correct him; but if his statements were consistent with facts, then he called on the House and the government to adopt his view of the subject. The right hon. gentleman who had last addressed the House had described the disturbances of Ireland as applying only to particular districts—as originating merely in local causes—and as not likely to be of permanent duration. He differed from the right hon. gentleman on all these points. The House was much deceived if gentlemen supposed that the disturbances in Ireland were limited to the narrow circle of a few districts, or that they were of recent origin. He would, on the contrary, assert that the present disturbances in their distinct character, originated in the year 1814. For many years previous to that period, disturbances, which could not be excused or extenuated, prevailed in Ireland; but the present disturbances were as distinct from those to which he referred, in their motives, objects, and agents, as it was possible for them to be.

Having pointed out the year when the disturbances commenced, the next point to which he would direct the attention of the House, was, the peculiar character of the agents employed; for he would assert and it could not be denied by the government, that, whatever the object of those infatuated persons might be, the disturbances were, without any exception, carried on exclusively by the Catholics of Ireland. The Protestant might be confided in: he cared not how he might suffer under the extremity of distress; still he was peaceable; however humbled, however crushed by the weight of his poverty, the Protestant had not, directly or indirectly, taken a part in those disgraceful outrages. It therefore followed, that though poverty and penury extended over all, it had operated to produce insurrection and rebellion amongst the Catholics only. The hon. and learned gentleman here took a brief review of the disturbances which had occurred in 1814, 1815, and 1816, at which time there was no complaint of the depreciation of prices or the high rate of rent; and therefore he inferred, that these were not the real cause of the spirit of insubordination which prevailed then, and which existed now. It could not escape observation, that the Roman Catholics who were embarked in those outrages were bound by a peculiar species of religious obligation. In all their forms a direct allusion was made to the established religion of the country, and an undisguised expression of hostility towards that religion was indulged in, which pretty clearly showed what their object was. The precise object of the conspiracy he could not state; but it appeared to him that it was not set on foot for the mere purpose of lowering rents or abating tithes, but that it had originated in a rancorous hostility to the established religion of the country. The hon. member for Limerick had said, he was shocked at certain books which were generally read in Ireland. But what would he say to that book, which was disseminated in every part of Ireland, which was to be found in every cottage—that book which was promulgated as a set-off against reading the Bible? He alluded to bishop Walmesley's history of the Catholic religion—a book written by a Catholic bishop, recommended by the Catholic clergy, which had gone through eight successive editions, and which his majesty's government had traced into almost every cottage in Ireland: that work, which was to be found where the reading of the Bible was not permitted, explained the Apocalypse of St. John in a manner favourable to the doctrines of the Catholic religion. In this work, after justifying almost the massacre of St. Bartholomew, the author had limited the duration of the Protestant religion to the year 1825. A man of education, would, of course, look at such a work with perfect contempt, but its effect upon uninformed minds could not but be most prejudicial. It was such as to inspire in the minds of the lower order of Catholics so perfect a hatred of Protestants that the latter were in many cases compelled to emigrate rather than renounce their religion, and to remain in safety without renouncing they found in numerous instances to be impossible. He was informed by several Protestants, that they had emigrated entirely from an apprehension that their lives and property were in danger; and he assured the House that, on inquiry, it would be found, that emigration had been confined almost universally to Protestants.

He wished to call the attention of the House to another point. It had been

said, that the Catholic priests had used their most strenuous efforts to preserve peace and tranquillity. It was of great importance to ascertain whether they were or were not sincere in their conduct: and it was of peculiar importance at the present time, when they claimed to be exempted from the ordinary law of the country, because, as they asserted, it would interfere with their influence over their congregation. That the Catholic priests had recommended peace and subordination from their altars, he was not disposed to deny. Indeed he knew the fact. [Hear, hear.] But the question was, whether they were sincere in those recommendations. With respect to the Catholic laity, he was ready to admit that the lower orders alone were connected with the disturbances. He believed the higher classes of the Roman Catholics to have just as little to do with the outrages as the Protestants themselves. But, while he absolved the educated Roman Catholic laity from all blame, he was sorry he could not say so much for the clergy. Let the House look to the manner in which the Roman Catholic clergy had acted on other occasions, when their authority was disputed, and contrast it with the conduct which they now pursued. It must be admitted on all hands, that however sincere or warm the Roman Catholic clergy might be in their endeavours to restore tranquillity, on the present occasion, they had totally failed. They had not succeeded in recalling their flocks to those paths from which they had deviated. But, on other occasions, when their representations were opposed, what had they done? They had had immediate recourse to the forms of their church. It had been judicially proved in courts of justice, that when some of their flock had dared to read the bible, contrary to the will of the Catholic clergy, the persons thus offending were assailed by the forms of the church of Rome. No such thing had been done on the present occasion. Here the hon. and learned gentleman adverted to several instances where murder had been committed by the peasantry, and the priesthood had not used the forms of the church for the purpose of discovering the offenders. In the county of Louth, eight individuals were burned by the insurgents; in the south of Ireland, 19 persons had the same fate; but the Catholic clergy did not endeavour to discover the murderers, by exerting those powers to which, on less important occasions, they had had recourse. In the county of Limerick, a crown witness, returning from giving evidence at the assizes, happened to pass by a chapel while divine service was performing; the whole congregation rushed out, and murdered him on the spot, in the presence of the priest. Government offered thousands and thousands to discover the perpetrators of this deed, but without effect. In another place, the priest advised the people not to take the oath of allegiance. And what was his reason? Because the oath of allegiance might interfere with another oath, which Dr. Milner was preparing for the Roman Catholics. Was this a proof of the sincerity which actuated the Catholic clergy? "I will not," said this priest, "take the oath myself, neither will I command my congregation not to take it, but I will advise them not." At Killarney, a priest according to his own statement, was apprehensive of disturbance. He heard, on a certain night, the blowing of horns, and all those sounds which distinguished the excursions of the disaffected. He, however, remained quiet all night, but next day, at twelve o'clock, he ventured into a crowd of insurgents. He found that they had seized an obnoxious individual, and that person he took under his protection. He afterwards retired, leaving this unfortunate person in the care of one of the party, but the moment he retired the man was murdered. This happened within a mile and a half of a military station, yet this clergyman never gave any notice to the military, of what was going on: the man was murdered, and the priest refused to state who the person was to whose protection he had consigned him. He would ask, in the name of wonder or of Heaven, was this a proof of sincerity? [A laugh.] It might excite a laugh in the minds of those who knew not the miseries to which Ireland was exposed. If gentlemen had felt those miseries, they would act in a different manner; they would hear with deference and civility, the sentiments of a plain man, instead of giving way to an emotion of merriment on so solemn an occasion. [Hear, hear.] If they thought that they were in possession of facts on which they could correctly decide, let them cry "question," and he would submit. [A loud cry of "question," and laughter.] He supposed he had stepped beyond the ordinary bounds of discussion

in what he had said, since, on no other principle could he account for this interruption; and, therefore, he would take up another topic. Miserable as the state of Ireland was, at the present moment, he did not think this was the time to talk of the misgovernment of six hundred years. His maxim was, "put down the insurrection now, and then discuss the circumstances in which it may have originated." In order to put down the insurrection, he would arm Government with an almost absolute power, and to enable them to exercise that power efficiently, he would place a greater military force at their disposal. He would not confine that force to 18,000 men; he would double or triple it. [Hear, hear!] When order was restored, he would, if possible, immediately get rid of 40*s*. freeholders. This minute division of property created much of that feeling of insubordination which was the bane of Ireland. Another measure of vital importance was, the putting down the system of illicit distillation. That could only be done by removing the temptation to the offence. So long as the present high duties existed, all the power of England could not remove that evil. The hon. and learned gentleman then recommended a religious and moral education, as that which could alone benefit the people of Ireland, and declared, that he would not be deterred from discharging his duty by the cries of those who were ignorant of the situation of Ireland, or who, being acquainted with it, viewed the subject with a criminal indifference to her welfare.

Mr. *Plunkett* said, he would not at that late hour, trespass long on the time of the House, and in the few remarks he had to make on the motion of his right hon. friend, he should confine himself strictly to the main question. The House might feel assured, that it was far from his intention to follow the hon. and learned gentleman who spoke last, through the details of his disgusting attack upon the population of that country which had returned him to parliament. [Hear, hear!] He owned, that when the hon. and learned member was first about to desert the duty which belonged to him in the Irish court of chancery, in order that he might devote his attention to parliamentary duties, he (Mr. P.) felt very great regret; but he now withdrew from the bottom of his heart, every regret on that account, and rejoiced that the hon. and learned gentleman had had an opportunity of displaying to the British parliament, and in the face of the whole country, the tone, and temper, and manner, which had long distinguished the treatment received by the great body of the people of Ireland from those who ought to be the advocates of their rights. It was often asked, in a tone of triumph, by the enemies of the Catholics, "Why are you not satisfied with the boon granted to you? Why are you not content with the concessions which you have received?" The reason was, because concession had been followed in every stage, by the curse and malediction of those bigots, whose prejudices neither time nor circumstances could remove—who, like an unwholesome blight, like a destructive mildew, intercepted every ray of royal favour, or of legislative beneficence. [Hear, hear.] He was free from alarm as to any argument which the hon. and learned gentleman might please to bring forward, but argument he adduced not. The hon. and learned gentleman relied upon what he denominated facts; and those facts would, in all probability, produce a very different effect from that which the hon. and learned gentleman had anticipated. The hon. and learned gentleman had spoken of transactions with respect to the disturbances that now prevailed in Ireland, and he (Mr. P.) must say, as he had been an eye witness of those transactions, that if any part of the statements of the hon. and learned gentleman were *literally* true, in spirit and in application to the question they were totally and absolutely false. The truth was, that the insurrectionary movements in Ireland, were confined entirely to certain districts of the south. Limerick, Cork, Kerry, and a part of Tipperary, were in a state of disturbance. The entire population, speaking of the lower classes of the people in those districts, were Roman Catholics. It was a well known fact, that the disturbances were confined to the lower orders, and did not extend beyond them; but, overlooking this fact, the hon. and learned gentleman had traced the disturbances to a religious feeling—those who were engaged in them being the dregs of the people, and all the lower classes professing the Catholic faith. The object of those insurrectionary movements was, in fact, to level the property of the country; and, in the pursuit of that object, the unfortunate persons

who were engaged in this design directed their efforts against both Protestants and Roman Catholics. The respectable Catholics were as much exposed as the Protestants to their depredations, and they exerted themselves with the same zeal and energy in repressing those disturbances, as the members of the established church did. [Hear.] When, as public prosecutor, the painful task of bringing some of those misguided men to punishment devolved on him, the direction he gave to the persons who were to empannel the juries, was, that no distinction should be made, in admitting Protestants and Roman Catholics to serve on those juries. They were indiscriminately empannelled; and it could not be asserted —it could not be suspected—that the Roman Catholics did not perform their duty, in every instance. These were facts which he positively knew. With repect to the Roman Catholic clergy, he would affirm, that from the highest dignitary of the church, to the lowest parish priest, they exerted themselves zealously, and energetically, and honestly, to put down the spirit of insubordination. It was not merely a formal discharge of their duty—it was not merely making declarations from the altar, which as the hon. and learned gentleman had said, might be true or untrue—might be sincere or hypocritical—no, it was an active interference; and he would assert, that if the lives, if the eternal happiness of the Catholic clergy depended on their exertions, they could not do more to put an end to those disturbances than they had done. [Hear, hear.] If these men, instead of being zealous opponents of the discontented, had remained neutral, and still more, if, as had been insinuated, they had countenanced this—he would not call it contemptible conspiracy, because, if not put down in time, it might assume a form that would require the whole strength of the country to subdue it—if these men had proceeded in a different course from that, which they had promptly adopted, would not the danger have been infinitely more terrific? The hon. and learned gentleman told them, that his great measure was to put down every symptom of insubordination by force, without inquiring into the cause in which it had originated. The hon. and learned gentleman would employ 50,000 or 100,000 men to effect this object. He (Mr. Plunkett) would indeed have been surprised, if such a doctrine had not been marked by the indignation of the House. For if such a principle were once adopted, the two countries would be opposed to each other in endless hostility.

He begged pardon for having been led away from the consideration of the immediate motion before the House, by the observations of the hon. and learned gentleman, which had already been sufficiently answered, by the effect they had produced in the mind of every person who had heard him on both sides of the House. There was one particular transaction, however, which had been mentioned by the hon. and learned gentleman, and in which he (Mr. P.) was personally concerned, to which he must shortly advert. The Roman Catholic priesthood had undoubtedly an opportunity of exerting a most powerful influence on the minds of their flocks; but their influence in restraining their flocks from the perpetration of crime must depend on their power of preserving the confidence of their flocks. It had been well observed by an eminent historian, Dr. Robertson, that the influence of the priesthood was most strong, when united with the discontented portion of the population; but that when allied with the government, their influence over the minds of their flocks was proportionally diminished. Subject to this drawback, their influence was undoubtedly strong, in restraining from the commission of crime; but if, instead of exerting their influence as clergymen, they came forward as witnesses in cases of imputed crime, they would lose the confidence of their flocks, and the government would consequently lose all the advantages which it now derived from their influence and interference in the prevention of outrages. In the transaction to which the hon. and learned member had alluded, the priest had rescued the unfortunate man from the crowd by which he was surrounded, at the extreme hazard of his own person, and had succeeded in conveying him to a place of safety. After this the party returned, seized upon the priest, and threatened him with the loss of life if he did not immediately deliver the man into their hands, declaring at the same time that he should receive no injury. The unfortunate man was delivered up, and after an interval of half an hour he was put to death. The priest did not know the persons who actually perpetrated the murders; he did not even believe that

those who were apprehended were the most guilty individuals. He knew it was true, some of the faces of those who composed the numerous crowd; and, though he did not think that those whom he knew were the individuals who had actually imbrued their hands in blood, he was aware that, composing part of a multitude who had committed murder, they were considered as having joined in the deed, and were liable to be executed as murderers. The priest, therefore, refused to give evidence, or to disclose the names of those who were present. He (Mr. P.) was willing to admit that a Catholic clergyman could, no more than a Protestant, conceal a crime, and that this priest was therefore, liable for the consequences of illegal conduct; but in this case he did not think it would have been adviseable to inflict the punishment. By giving evidence against these persons, the priest not only exposed himself to personal danger, perhaps to assassination, but deprived himself of all capacity of being employed as an instrument to prevent future crimes. Having a choice, therefore, of compelling him to appear in the witness box, and of punishing him if he refused to give evidence, or of employing the confidence which he enjoyed with those whose lives would be affected by his testimony to prevent future outrages, he (Mr. P.) notwithstanding that by so doing he exposed himself to the censures of the hon. and learned gentleman, had preferred the latter course, and he now appealed to the House from the decision of the hon. and learned gentleman, and asked if he was not entitled to their approbation and thanks for having so done? [Loud cheers.]

He would now address himself to the motion of his right hon. friend. His right hon. friend, he was sure, could intend no unkindness towards him by the manner in which he had alluded to his conduct in 1816, and stating that he then joined with him in a motion similar to the present. Neither could his other hon. friend who had so ably supported his views, and who had quoted passages from his speech on that occasion. But as every man was anxious to maintain his character, and to defend his consistency, he might be excused for offering some explanation by which his conduct in then supporting his right hon. friend's motion was reconcilable with his negative vote on the present occasion. The motions, then, he would say, were not exactly similar, nor brought forward under similar circumstances. On the former occasion, a vote had been proposed in the army estimates, for 25,000 men, for preserving the peace of Ireland, and the motion of his right hon. friend was intended to obtain a previous inquiry into the state of the country, for the purpose of ascertaining whether such a force was necessary; in the present instance, the House had voted the necessary force, and had, to arrest existing outrage, conferred additional powers on the Irish government. The latter fact was even embodied in the resolution now before the House. With respect to the latter part of the resolution, which pledged the House to assist his majesty in carrying into execution the most beneficial measures for the peace and prosperity of Ireland, and was intended to stimulate the government to more active exertions in the cause, he could not adopt it without declaring by his vote, that government required reproof for its indifference, and consequently did not enjoy its confidence. Now, that it enjoyed his confidence was proved by his sitting on that side of the House. To those who knew him best, he would leave the decision, whether he had placed that confidence in the present administration because he had joined them, or had joined them because they had obtained his confidence. [Hear, hear.] He believed in his conscience, that government was doing all in their power to find a cure for the evils with which Ireland was afflicted. His right hon. friend (Mr. C. Grant) who had that night spoken with such eloquence, and evinced so much statesmanlike talent and views, and who by his speech had acquired additional claims to the gratitude of his country, had enumerated the causes, of the present state of Ireland. Many of these causes, it would be obvious could not be immediately counteracted, and many of their effects could not be immediately remedied; but he was convinced, that the government of that country was sincerely desirous of discovering a remedy, and would be zealous in applying it. Every thing that could be done, he was convinced would be done. With respect to the great question of Catholic disabilities, he would at present say nothing, although he hoped that it would soon be satisfactorily settled. The House would recollect, that the question last year obtained a new position; that a bill had been agreed to in that House, had

passed through all its stages, and was only lost in another place. He confessed that he, therefore, looked forward with increased confidence to the final success of that great measure of security, of strength, and of justice; but it was too important a question to be mixed up with the discussion of that evening. A part of it would shortly come before the House on the intended motion of his rt. hon. friend (Mr. Canning) for the admission of Catholic peers into the other House of Parliament; and at an early period of the next session, as he (Mr. Plunkett) had formerly announced, he intended to submit the whole question to parliament; when he had no doubt it would receive that full, temperate, and satisfactory discussion which its momentous consequence deserved.

Among the circumstances which had had a beneficial tendency with regard to Ireland, and which, without reference to the success of the question to which he had alluded, increased his confidence in the future tranquillity of Ireland, was the late visit of his majesty to that part of his dominions. That gracious proceeding had been undervalued, and viewed with affected indifference, by the various descriptions of persons with various objects; but a wiser and more beneficial measure, he was convinced, could not have been taken. Its importance had been under-rated, by those who were averse to see any lustre thrown around the Throne, and by the petty factions of both sides, who distracted that unhappy country; but the great body of the people had appreciated the visit as it deserved. His majesty had knocked at the hearts of his Irish subjects, and had been answered with inexpressible enthusiasm and gratitude. That visit had been followed by another measure of conciliation, on which they likewise set its proper value—he meant the appointment of the marquis Wellesley to the government of Ireland. He would not then enter into any eulogium on that noble lord, who did not require any praises of his; but he should be wanting in that justice which he owed to him, if he did not state the wise and impartial views with which he entered upon his office—the zeal and vigour with which he applied himself to discover a remedy for the existing evils of Ireland—and the anxiety which he showed to administer the law, and to put down those who rose up against it, in whatever party, and under whatever banners, they appeared. [Hear, hear.] He (Mr. Plunkett) entertained from these and from other circumstances great hopes of approaching prosperity to Ireland; and he begged leave so say, that some of his hon. friends had drawn too gloomy a picture of its past condition, when they spoke of an uninterrupted misgovernment of three centuries. Within the latter part of this period they might have found many subjects of consolation. The penal laws for religion had been within the last forty years entirely repealed: nothing now remained but one great measure of policy and justice that should remove all civil disabilities on account of religious faith. It should also be recollected, that since the year 1782 that country had been restored to commerce and to all the commercial rights enjoyed in other parts of the empire. These advantages had been followed by an union, which placed Ireland on a footing with Great Britain, in all other privileges and rights. He had opposed that union; he had done so openly and boldly, nor was he now ashamed of what he had done; but though in his resistance to it he had been prepared to go the length of any man, he was now equally prepared to do all in his power to render it close and indissoluble. One of the apprehensions on which his opposition was founded, he was happy to say, had been disappointed by the event. He had been afraid that the Irish interests, on the abolition of her separate legislature, would come to be discussed in a hostile parliament: but he could now state, and he wished when he spoke that he could be heard by the whole of Ireland, that during the time that he had sat in the united parliament, he had found every question that related to the interests or security of that country entertained with indulgence, and treated with the most deliberate regard. When he considered all these things—when he considered the privileges granted, and the disabilities removed—and when he considered the effects that must result from the cordial efforts of a united legislature, he could not entertain gloomy ideas on the subject of the future prospects of Ireland. If an improved system of police were established in that country, and if the landed gentry discharged with zeal the duties of their character and station, we should soon see a manifest amelioration of the state of the sister island, and should find that, instead of being a source of weakness and distraction, it would be-

come an arm of security and strength to the whole empire. [Hear, hear.]

His right hon. friend (Mr. Grant) had adverted to the causes of the present state of society in Ireland, under the heads of the tithe system, the police, the magistracy, and education; and though he, when he rose did not intend to say one word upon them, he would now, as he was on his legs, address himself briefly to them. He confessed he approached the tithe system with great reserve and delicacy. The legislature had a right to meddle with that property, because there were no limits to its power; but, on the same principle that it could interfere with tithes, it might interfere with any other species of property. As to any forcible diminution of their amount, or compulsory commutation of them, he could never agree to any measure for that purpose, nor could parliament on any just principle, entertain the question for a moment. In opposition to frequent complaints, he was of opinion that the clergy of Ireland were not adequately provided for. They did not receive what they were entitled to demand, and the clamour raised against their alleged exactions was most unfounded and most unjust. [Hear, hear.] He wished to speak with respect of the great body of Irish landlords; but he was compelled to say, that, generally in the west and in the south of Ireland, they exacted so much rent themselves, that they left little for the tithe of the clergy, and joined in the cry of exaction when that little was attempted to be recovered. They sometimes let their land at from seven, eight, nine, or ten pounds per acre. Whatever the poor occupier could spare beyond mere subsistence, the proprietor claimed in the shape of rent, and thus left the clergyman in the recovery of his tithe, to deal with an insolvent fund. [Hear, hear.] If the latter surrendered his rights, he was left without an income, and praised for his generosity: if he exacted them, the cry of rapacity was raised against him. In the mean time, the poor occupier of the land gained no advantage by the clergyman's forbearance; as what was remitted in tithe was exacted in rent. The cry raised against the clergy for their enjoyment of that portion of the produce which the law awarded them from the land —always appeared to him illiberal and ill-founded. He knew of no class of country gentlemen more useful than the clergy, even independent of their sacred duties, and none better entitled to the property which they enjoyed. [Hear, hear.] They spent their income in the country, in the encouragement of industry, as usefully as laymen; they were better educated; they were more capable of directing their inferiors; and, independently of the religious instruction which they conveyed, they set a better example of morals and private conduct. But he agreed with those who thought that some change might be made, with advantage, in the mode of collecting tithes, though he was opposed to any measure for compulsory commutation. The subject was certainly surrounded with difficulty, but he thought some means might be contrived, by which the clergy might be enabled to treat with the proprietors instead of the occupiers of land. In this manner an agreement, not amounting to a commutation of tithes, might be entered into, by which the clergyman might receive a certain sum for a certain number of years; and this arrangement might be farther perfected by making the tithe an actual charge upon the land into whatever hands it might fall. This would prevent that perpetual recurrence of vexatious pretensions which was now the source of so much dissention between the clergyman and the occupier of the land, and the effect would be extremely beneficial in another point of view. The occupier of land was generally a Roman Catholic, who was naturally disinclined to contribute to the support of a religion which he did not profess; but if the transfer which he had just alluded to were adopted, the Protestant clergyman would no longer have to deal with a Catholic occupier, but with the proprietor who was generally a Protestant. He did not despair of some such measure being matured so as to be capable of being laid before parliament. This subject was now under the consideration of wiser heads than his; but he must deprecate the introduction of any measure, unless that measure had been precisely limited and ascertained; for he thought the Protestant clergy ought not to be exposed to the consequences of any indefinite arrangement, the exact limits and extent of which were not known previously to its being made the subject of deliberation. With regard to the system of police and the magistracy of Ireland, he could assure his right hon. friend, that those subjects were now occupying the serious attention of his majesty's government. The system of education had often

received the attention of the House, and many measures had been passed with regard to it. Whether all the beneficial effects which had been expected had resulted from those measures he would not pretend to say; but he was sure that the government would readily give its attention to any propositions which might be brought forward on the subject. He begged pardon for having trespassed so long upon the House. Indeed, it was not his intention to have occupied any portion of their attention, had he not felt himself called upon to make some counter statement to the evidence of the hon. and learned member for Dublin.

Mr. *Grattan* supported the observations of his right hon. and learned friend, whose knowledge of the state of Ireland made him competent to point out all the bearings of the question under consideration. The hon. member earnestly recommended unanimity in Ireland, and expressed a hope that he should see the day when Protestant and Catholic would be firmly united under the same laws and government.

Mr. *Peel* said, that the course which the debate had taken rendered it unnecessary for him to trouble the House at any length upon the present occasion. Having, however, held an office in Ireland for a longer period than that office had been retained by any person during the last century, he trusted the House would excuse him if he ventured to address to them a few observations on the question which had been brought forward. In what he had to say he would abstain from making any allusion to the Catholic question; and he thought the right hon. baronet had acted wisely in refraining from making any reference to that question in the address which he had submitted to the House. When his right hon. and learned friend should, as he had given notice, submit the consideration of that question to the House, in the next session, he should feel it his painful duty to persevere in the opposition which he had always offered to the claims of the Roman Catholics; but, until that period arrived, he thought he should best consult his own feelings, and the general wishes of the House, by avoiding any reference to the subject. The points of difference between the right hon. baronet and those who opposed him appeared to be not very numerous, or of very great importance. The rt. hon. baronet had proposed a general address, leading to no specific object, but merely pledging the House to the consideration of any measures which might be proposed by government. In all the important points of the right hon. baronet's address, the government was disposed to agree; but they wished to have those points discussed, and he implored the House not to accede to an address, which was in no way calculated to effect the right hon. baronet's object. On the other hand, an admission had been made on the part of government, that they were ready and anxious to make every inquiry into the state of Ireland. The right hon. secretary for Ireland had stated, that on those points on which it was considered that government could beneficially interfere, measures should be adopted; and that on those other points, respecting which a conclusion might be come to that nothing could be done, he should be ready to lay satisfactory reasons for that non-interference before the House. Could the House expect more than this? Was it fair that a government which had been only three months in existence, and which had, during that time, been principally occupied in details concerning the security of life and property, should now be under an imputation, because it was not at this moment prepared to submit any specific measure? In the address of the right hon. baronet he found it impossible for him to acquiesce. He could not admit the implied censure which the address cast upon past governments, and he thought that he could convince the right hon. baronet himself that he had introduced some words into the address which would have been better omitted, and that he had not paid sufficient attention to certain causes, which were allowed to have an extensive and important operation. He (Mr. Peel) had been connected with the government of Ireland for the space of six years; and he should consider it as a gross reflection upon his own character if he had permitted that period to elapse without taking into consideration all the topics to which the right hon. baronet had alluded. But there was some other subjects connected with this question which had not this evening been adverted to, but which had some years ago been considered of essential importance. He would, in the first place, remind the right hon. baronet of the question regarding the appointment of sheriffs. When he had first gone to Ireland, he

had heard constant, and he believed well founded complaints of the mode by which sheriffs had been then appointed; for the sheriffs had then possessed the power of nominating the grand jury, and the grand jury had possessed the power of imposing local taxes to an unlimited extent. In consequence, an application had been made to assimulate the mode of appointing sheriffs in Ireland to the practice which prevailed in England. The judges had been empowered to recommend three persons from each province; and he believed that in the selection of the sheriffs from the persons thus returned, the government had never yet been charged with partiality. Another and a not less important question had been the power possessed by the grand jury of imposing local taxation. The state of the police at that period had been in a most deplorable state. He had done all in his power to remedy its deficiencies; for, of all the cases which had been mentioned as leading to the present condition of Ireland, there was none to which he attached so much importance as the state of the police.—He wished it was possible on this subject to fulfil the view of his right hon. friend, and to devolve upon the grand jury the power of appointing proper officers. The appointment of constables in Ireland was very different from their appointment in England. In England their services were gratuitous; but in Ireland they all received a regular allowance. He acquiesced in the objection made by his right hon. friend to the appointment of a magistracy superior to the ordinary magistrate. To such a proceeding there were certainly great objections; but if the grand jury would not do their duty by appointing proper officers, the government must necessarily take the task into its own hands. He spoke not now of appointing a police for the purpose of repressing insurrection; but of a police which might do that which had never yet been effectually done, namely, to enforce the common law of England. He believed that if Ireland were to be accustomed for a few years to the vigorous execution of the English common law, there would be no occasion for the application of extraordinary measures. On the subject of education, he begged to be allowed to say, that the opinions which he entertained on the Catholic question, had never prejudiced his views as to the necessity of education generally. He had rather that the Catholic population should be enlightened than ignorant, and he would extend education to all parties without reference to the religion of either. If any measure, therefore, was to be brought forward, to which, after deliberate consideration, he could consent, it should have his cordial support. On the subject of tithes, he concurred with his right hon. and learned friend, in thinking, that it was an extensive and difficult question. He thought that the general character of the Irish clergy had been greatly misrepresented and misunderstood. He knew that their forbearance had been most exemplary; and though, in particular instances, that line of conduct might have been departed from, yet he implored the House not to form their judgment of the clergy as a general body, from one or two unworthy exceptions. He believed that it was this general conduct of the clergy which furnished the strongest argument against the plan of commutation. Every man who had attentively considered the question of commutation, must have been appalled by the difficulties which that subject presented, both as it regarded the church and the tenant of the land. The obstacles to that plan were so numerous, that he knew not how to get rid of them. He had attended to the subject seriously, and the result of his attention was, that he thought that great danger would attend the experiment, and that it might prejudice the interests of both parties. He would not now enter farther into the subject. His concurrence in much that had been said by the speakers who had preceded him, relieved him from the necessity of expressing his opinions at greater length; but he conjured the House to rest satisfied with the promise that had been made, and not to concur in an address which went to no specific purpose.

Sir *H. Parnell* said, he was willing to place confidence in the pledges which had been given by the chief secretary of Ireland, and the attorney-general, that the several measures which had been proposed for improving the condition of Ireland, would be made the subject of the constant and serious consideration of the British government, and in due time brought forward for the sanction of the House. He certainly had heard with great regret, the reply the right hon. gentleman had made to the question which he had asked him early in the evening, concerning tithes; because he

was sure, from all he had heard, of his own bill of this kind, a measure merely to give a power to lease tithes, would prove of no benefit to any one; but the further explanation of the plan which had been given by the attorney-general led him to think something better of it: for if it went to secure a tithe rent for a certain number of years, in lieu of tithes as now leased, it would, no doubt, do some good in remedying many of the evils belonging to the present system of collecting tithes. In his opinion the only plan that could prove satisfactory to all parties, would be one of a general commutation of tithes for an acreable tax. This was a plan that might be carried into execution with as little difficulty as the plan for a tithe rent; it would be more simple, and much more effectual; and one which would meet with general approbation. He had received several plans founded on this principle, and even from clergymen. He wished to be distinctly understood, as not having the smallest desire to invade the property of the church, nor even to diminish the actual income of the clergy. He looked to a commutation upon the strictest principles of justice, and he would even say he was disposed to fix the income of every clergyman at a higher rate than it ever yet had been. He could not agree with the secretary of the home department, that the commutation of tithes was to be discussed as a measure hostile to the interests of the Irish clergy. It was a very mistaken and exaggerated course of debate to assume, that they were to be made to give way to what is called the outcry of the people. In point of fact, of all the parties the inferior clergy of Ireland were the most interested in having a commutation of tithes—for they were always the first to suffer. Just in proportion as disturbances prevailed, their incomes were diminished; and he could positively say, from the communications he had had with clergymen, that the general wish of the whole body was to have a complete commutation of tithes, founded on the principle of an acreable tax. The hon. baronet proceeded to say, that, had he sooner been able to address the House, he would have gone at some length into the various matters which had been the subject of this night's debate; but, at so late an hour, he would only make some observations on one or two of them. He fully agreed with the secretary of the home department, that the office of constable, under the management of the grand juries, was wholly useless; at the same time he did not agree with him in thinking that government should appoint all the constables. He thought the magistrates should appoint them at the quarter sessions; they were interested in having good constables to assist thems and, besides, the necessity of meeting together once or twice a year, for the business of appointing the constable, would be of great use. He wished to see the country placed under a constitutional police, and not under one of a military character. In respect to the causes of the disturbances, he had wished to have had an opportunity of fully discussing them. He allowed the Catholic question had no immediate connexion with the disturbances; but still he felt convinced that they might be traced as having their foundation in that spirit of hostility to English law which flowed from the first introduction of the Penal code. The people of Ireland felt as Irishmen, rather than as Catholics, in respect to this Code; it kept alive constant discontent, and the firm conviction of his mind was, that not one or all of the measures which had been suggested for the improvement of the condition of Ireland would ever avail, unless the complete emancipation of the Catholics was made the foundation of them.

Sir *J. Newport* rose to reply, and said, that after the explanation which had been given on part of government, and particularly after the pledge which had been given by his right hon. friend, the attorney-general for Ireland, who had thrown oil upon the troubled waters, that measures for the relief of the people of Ireland were under the consideration of government, he would not press his motion to a division. He thought it necessary to deny that he intended, by his motion, to convey any reflection upon the present government of Ireland. If the motion had been of such a character, he would have been the last man in the House to propose it. He was happy that he had called the attention of the House to the subject, since it had been the occasion of eliciting a declaration of the intentions of government, which appeared to him very satisfactory.

The motion was then negatived.

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